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Dec. 3, 2002



ENVIRONMENTAL ASSESSMENT
FOR DECEMBER 3, 2002
STATE OF MONTANA OIL AND GAS LEASE SALE

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MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
Trust Land Management Division
Minerals Management Bureau
Helena, MT

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

TRUST LAND MANAGEMENT DIVISION



JUDY H. MARTZ, GOVERNOR

1625 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-2074
TELEFAX NUMBER (406) 444-2684

PO BOX 201601
HELENA, MONTANA 59620-1601

October 29, 2002

To Whom It May Concern:

I have reviewed the attached Environmental Assessment for the December 3, 2002 lease sale. I concur with the recommendation to add to the basic State of Montana Oil and Gas lease the additional lease stipulations specified for each tract in Appendix A. (Note: Application number 5017 in Gallatin County has been withdrawn from this lease sale by the nominating applicant). In conjunction with the basic lease agreement, these stipulations sufficiently mitigate potential environmental concerns with leasing the proposed tracts. All tracts are stipulated for subsequent, site-specific environmental review if any activity is proposed on the surface of the tract. For the tracts located on the area east of the Rocky Mountain Front, the "Rocky Mountain Front" stipulation is proposed. This stipulation expressly prohibits use of the surface of the tract unless the Land Board approves such use. Further, this stipulation explicitly reserves to the State the right to deny such use, if approval would not constitute the best use of trust resources or would not be in the best interest of the State of Montana. Accordingly, there is no need for an EIS for this lease sale.

Monte G. Mason

Monte G. Mason, Chief
Minerals Management Bureau

OCTOBER 29, 2002

Date

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION



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ENVIRONMENTAL ASSESSMENT

ON THE

December 3, 2002

OIL AND GAS LEASE SALE

Montana Department of Natural Resources and Conservation
Trust Land Management Division

I. Introduction

The State of Montana owns over six million acres of oil and gas rights that are scattered across the state. The lands that these mineral rights lie under are varied, consisting of timber, grazing, and agricultural land. The state also owns mineral rights below navigable lakes and streams in Montana. Each land type will be impacted differently by oil and gas related activity.

This document contains the environmental review of lands nominated for oil and gas leasing for the **December 3, 2002** lease sale. Alternatives reviewed in this document are 1) No Action - deny the oil and gas lease; and 2) Approve the oil and gas lease with appropriate stipulations.

II. Purpose and Need for the Action

The Montana Department of Natural Resources and Conservation (DNRC) - Trust Land Management Division (TLMD) received nominations for 70 tracts of land totaling 33,586.59 acres for the purpose of oil and gas exploration and development. A listing of these tracts and their locations is found in Appendix A. The nominating applicant withdrew preliminary application number 5017 in Gallatin County from the December 3, 2002 lease sale prior to completion of this environmental assessment.

Prior to leasing the nominated tracts, the TLMD must review each tract for potential impacts on the human and natural environment from oil and gas operations. By leasing lands for oil and gas exploration, the trusts administered by TLMD benefit from rental and potential royalty income. A copy of the lease form is included in Appendix B1.

III. Agency Responsibilities

A. Department of Natural Resources and Conservation

The Department of Natural Resources and Conservation (DNRC) - Trust Land Management Division (TLMD) is authorized to lease state-owned oil and gas for exploration and development (MCA 77-3-401, et seq.). Oil and gas lease sales occur quarterly, as required by ARM 26.3.206(1). Under the Montana Environmental Policy Act (MCA 75-1-201, et seq.), the TLMD must review leasing of nominated tracts for potential impacts on the human and natural environment prior to leasing unless a clause for denial of activity is added to the lease.

The TLMD must decide whether to lease the nominated tracts with appropriate stipulations or deny leasing.

B. Board of Oil and Gas Conservation

The Board of Oil and Gas Conservation (BOGC) is responsible for requiring "measures to be taken to prevent contamination of or damage to surrounding land or underground strata caused by drilling operations and production..." (MCA 82-11-111(2)(a)). The BOGC issues permits for oil and gas drilling operations (MCA 82-11-122), and also oversees proper plugging and abandonment of seismic shotholes and oil and gas wells (MCA 82-11-123(4)). All permitting by the BOGC is subject to an environmental review under the Montana Environmental Policy Act (MCA 75-1-201, et seq.). A programmatic EIS on oil and gas activity was completed by the BOGC in 1989 (BOGC, 1989) and is incorporated in this EA by reference. TLMD adopts the conclusions and information contained in that EIS.

The BOGC is not involved in leasing decisions taken by the TLMD.

IV. Procedure

Notification of the tracts nominated for lease was submitted to the following agencies and individuals for review and comments:

Montana Department of Natural Resources and Conservation - Trust Land
Management Division Area Office Managers
Montana Department of Natural Resources and Conservation - TLMD
Archeologist and Hydrologist/geologist
Montana Department of Natural Resources and Conservation - TLMD
Minerals Management Bureau Chief, Forest Management Bureau
Chief, and Land Management Section Supervisor - Agricultural
and Grazing Bureau
Montana Department of Fish, Wildlife and Parks Regional Offices and
Field Biologists at applicable Area Resource Offices
Montana Natural Heritage Program
Helena National Forest Supervisor
Gallatin National Forest Supervisor
Lewis and Clark National Forest Supervisor
Bureau of Land Management, Billings
U.S.D.I. Fish and Wildlife Service
Bureau of Indian Affairs, Blackfeet Agency, Browning
Blackfeet Cultural Program
Oil and Gas Lease Sale Mailing List
Department Website
(<http://www.dnrc.state.mt.us/trust/tlmdhome.htm>)

Comments received from these agencies and individuals are reviewed and stipulations are developed for each tract nominated for leasing. Agency comments are located in Appendix C. Appendix D is used for public comments. The department received 3 public comments as of the October 25, 2002 public comment deadline. The department received no late comments as of the October 29, 2002 completion of this environmental assessment. If any late comments regarding the December 3, 2002 sale are received after this time, they will be included in Appendix E in the EA file.

Issues reviewed for this process include:

- The presence of sensitive plant and animal communities.
- The presence of historical or cultural sites.
- Potential impacts of oil and gas related activities on soils, hydrology, wildlife, vegetation, and human resources.
- Potential for "No Surface Occupancy" restrictions.

Potential conflicts with current land use (such as
Federal Farm Programs including CRP).
Other potential resources for the tract.

Field evaluations from past inspections, information from DNRC-TLMD field office files, and, if necessary, additional on-site evaluations are used by the TLMD field staff in assessing potential impacts from oil and gas leasing and subsequent development. Information contained in the programmatic EIS produced by the BOGC (BOGC, 1989) is also utilized in determining the potential impacts of future oil and gas development for the nominated tracts. Stipulations are then attached to the lease to provide resource protection during future lease operations. These stipulations range from strict, no surface occupancy restrictions to requirements for operating plan approval (with the potential of future denial) to buffer and avoidance stipulations, and surface damage settlement issues. A list of example stipulations is located in Appendix B2. Four of these stipulations, A-2, B, C, and D, are placed on all leases and are denoted in Appendix B2 with an asterisk. Operating plan review is required on all leases either through the use of stipulation A-1 or the sensitive areas stipulations F-1, F-2, or F-3 (see Appendix B2).

The Montana State Board of Land Commissioners adopted the following resolution at their June 18, 2001 meeting:

"The approval of the June 5, 2001 oil and gas lease sales in no way commits the land board to approval of coal bed methane production on these or any other outstanding leases. Any coal bed methane extraction wells would require subsequent review and approval by the board."

Since it is unknown at the time of leasing the type of targets that are being sought, stipulation A-2 has been modified to include Land Board review of any coal bed methane activities.

For all nominated tracts, additional environmental assessments will be completed with the receipt of an operating plan by both TLMD and the BOGC. Potential problems are mitigated at that time through modifications in the plan. TLMD can not deny drilling of a well unless stipulated at the time of the lease, but stipulations can be added to the operating plan to mitigate impacts. The BOGC, however, may deny a drilling permit or include additional stipulations in the drilling permit.

For tracts nominated in potentially sensitive areas, three special stipulations have been developed (Appendix B2, stipulations F-1, F-2, and F-3). These stipulations create a tiered environmental review process with the potential for future denial of activities. An impact analysis is not required prior to leasing a tract with a sensitive area stipulation. (North Fork Preservation Assoc. v. Dept of State Lands, 238 Mont. 451, 778, P.2d 862 (1989); Conner v. Burford, 836 F.2d 1521 at 1528 (9th Cir., 1988)). When activity is proposed on a lease, the operating plan receives an environmental review. This review consists of an evaluation of impacts of the proposed action. Additional stipulations and mitigating measures may be required prior to the activity, or activity may be denied. Depending on the location and potential impacts from the specific activity proposed, this environmental review could consist of a basic Environmental Assessment up to a full Environmental Impact Statement. Additional environmental assessments may be necessary with further development of the lease. Environmental assessments are completed as necessary throughout the term of the lease.

The Trust Land Management Division of DNRC developed the sensitive areas stipulation (F-1, Appendix B2) for areas that contain some elements that are environmentally sensitive, but are not location dependant. However, this

stipulation has also been utilized where state mineral estate is in or immediately adjacent to cities, parks, wildlife refuges, Indian reservations, or Forest Service land, etc. in compliance with State Land Board direction.

The State Land Board developed stipulation F-2 to address the level of interest and concern expressed over leasing and possible development of state lands located in western Teton and northwestern Lewis and Clark Counties (i.e. the lower elevation eastern slopes of the Rocky Mountain Front, generally west of Choteau, Augusta, and Bowmans Corner). Stipulation F-2 (Appendix B2) outlines Land Board review and approval and delineates the review process.

Stipulation F-3 (Appendix B2) has been developed to address the level of interest and concern expressed for school trust land within or adjacent to the Sleeping Giant and Sheep Creek Wilderness Study Area, the Beartooth State Wildlife Management Area, and/or the Gates of the Mountains Wilderness. These areas fall outside the Rocky Mountain Front description noted above. The F-3 sensitive area stipulation is similar to F-2 in that it specifically outlines Land Board review and approval and delineates the review process. As a part of this review "No surface activities shall occur on the lease premises unless and until the Operating Plan or Amendment is approved by the Board." After completion of the review, the Land Board may approve, modify, or deny surface activity on the lease.

V. Public Notification

Public notice of nominated tracts and request for comments is made two months prior to the lease sale in the Rocky Mountain Oil Journal, Billings Gazette, Great Falls Tribune, and Helena Independent Record. The tract list is sent to everyone on the Department's mailing list of approximately 800 individuals, organizations, and companies. Anyone can be added to the mailing list by contacting the Department. Lease sale lists, dates, and important deadlines are also available on the Department's Internet web site (<http://www.dnrc.state.mt.us/trust/tlmdhome.htm>). After completion of the Oil and Gas Lease Sale EA, the list of nominated tracts and attached stipulations is published in the Rocky Mountain Oil Journal, made available on the Department's Internet web site, and mailed to everyone on the Department's mailing list.

VI. Resource Analysis

The following issues were analyzed for potential impact on state owned land:

A. Wildlife:

Potential impacts on wildlife for each tract are analyzed by the Department of Natural Resources and Conservation (DNRC) - Trust Land Management Division (TLMD) field office staff with additional input from the MT Department of Fish, Wildlife and Parks (DFWP) regional office staff. Letters requesting information on potential impacts from oil and gas activities are sent to each DFWP regional office by electronic mail or postal mail. Information provided by the MT Natural Heritage Program (MNHP) is also reviewed. Based on comments and information provided, stipulations are applied to protect wildlife resources. If no site-specific response is received from DFWP or TLMD field offices, and the MNHP search turns up no element occurrence data, then no additional stipulations are added to the tract. However, the standard operating plan review stipulation (number 1 in the application list in Appendix A) still allows coverage of wildlife concerns that may arise in any subsequent site-specific review.

For the December 3, 2002 MT Oil and Gas Lease Sale, several stipulations have been applied to various tracts due to wildlife concerns. Both the sensitive areas stipulation and the Rocky Mountain Front sensitive areas stipulation are

proposed for use in this environmental assessment. The DNRC tracts on the Rocky Mountain Front in Lewis and Clark County for which the Rocky Mountain Front sensitive areas stipulation (number 22 in the application list in Appendix A, F-2 in Appendix B2) is recommended are application numbers 5018-5020 and 5022-5029. Utilization of this stipulation on these tracts addresses wildlife concerns for various species, including: grizzly bears, lynx, trumpeter swans, bald eagles, elk, mule deer, and antelope. The sensitive areas stipulation, (number 21 in Appendix A, F-1 in Appendix B-2) which is utilized for application numbers 5012 and 5021 in Lewis and Clark County, covers concerns for wildlife species including: grizzly bears, elk, mule deer, and antelope.

The wildlife survey stipulation (see number 11 in Appendix A) is utilized on 9 tracts for various animals. It is used on application number 5015 in Blaine County for swift fox. In Daniels County (application number 5007), McCone County (number 5013), and Roosevelt County (number 5005), the wildlife survey stipulation is applied for sharptail grouse. This stipulation is utilized for sage grouse in Musselshell County (number 5008) and for upland game birds in Stillwater County (number 5048). It is also applied to application numbers 5041 and 5044 in Carter County and number 5011 in Musselshell County for ferruginous hawks.

The TLMD contact MT-DFWP regarding wildlife concerns stipulation (number 12, Appendix A) is utilized in Carter County for concerns regarding dwarf shrews (application numbers 5044-5047), and for prairie dogs (application number 5041).

The navigable river (no-surface occupancy) stipulation (number 14, Appendix A) is utilized on application number 5026 in Lewis and Clark County. It also covers wildlife and fishery concerns for the Dearborn River and related acreage. The river, flood plain, lake/reservoir (1/8-mile) buffer stipulation (see stipulation 13, Appendix A) covers concerns for Northern Redbelly X finescale dace in the Musselshell River in Musselshell County (application number 5010).

B. Water Quality:

Potential impacts on surface water resources are analyzed by the TLMD field office staff and the TLMD hydrologist/geologist. Notation is made on locations of perennial and intermittent streams, lakes, ponds, wetlands, springs, wells, ditches, canals, prairie potholes, etc. within a nominated tract. If set-backs from water resources are required, a stipulation is applied to protect these resources. Ground water resource protection is required by the BOGC, and BOGC permitting is contingent on adequate protection. For this lease sale the 100-ft stream, wetland, reservoir, etc. buffer stipulation is utilized for various scenarios on 50 tracts (see stipulation 7 in application list in Appendix A). Streams, ponds, wetlands, reservoirs, etc. on application numbers 5018-5020 and 5022-5029 in Lewis and Clark County are covered by utilization of the Rocky Mountain Front sensitive areas stipulation (number 22, Appendix A) on these tracts. These areas on application numbers 5012 and 5021 in Lewis and Clark County are covered by the use of the sensitive areas stipulation (number 21, Appendix A) on these tracts.

Other stipulations are applied to larger water bodies. For this sale, the navigable river (no-surface occupancy) stipulation (see stipulation 14, Appendix A) is applied to application number 5026 in Lewis and Clark County for the Dearborn River and related acreage. The river, flood plain, lake/reservoir (1/8-mile) buffer stipulation (see stipulation 13, Appendix A) is utilized on application numbers 5001-5002 in Blaine County due to the Milk River flowing through the tracts. This stipulation is also applied in Carter County (application number 5047) for the Little Missouri River, in McCone County (number 5013) for the Redwater River, and in Musselshell County (number 5010) for the Musselshell River. Larger reservoirs in Blaine County (application number 5015) and Hill County (application number 5014) are covered by utilization of this

stipulation. The Rocky Mountain Front sensitive areas stipulation also covers concerns for the Dearborn River on application numbers 5018, 5019 and 5026 in Lewis and Clark County.

C. Soils and Topography:

TLMD field office personnel review soil surveys conducted by the USDA-NRCS along with field notes from previous inspections to determine the potential for impacts to fragile soils. If protection of fragile soils is needed, a stipulation is implemented to protect the resource. The TLMD field office personnel and the TLMD geologist/hydrologist also review topographic maps to obtain an indication of the topography. For the December 3, 2002 MT Oil and Gas Lease Sale, rough/steep topography or fragile, unstable soils have resulted in stipulation 10 (see Appendix A) being applied to 21 various tracts. Soils and other surface concerns that may arise during a site-specific review are also handled through the standard operating plan review stipulation (see number 1, Appendix A). Steep/rough topography and/or unstable soils on Lewis and Clark County tracts, (application numbers 5012 and 5021) are addressed by utilization of the sensitive areas stipulation (number 21, Appendix A). These concerns are covered for application numbers 5018-5020 and 5022-5029 in Lewis and Clark County by application of the Rocky Mountain Front sensitive areas stipulation (number 22, Appendix A) on this tract.

D. Vegetation

TLMD field office personnel review records in the office for potential impacts on vegetation in an area. Information provided by the Montana Natural Heritage Program is also reviewed by the TLMD geologist/hydrologist. If rare plants or potential for significant impacts exist on a tract, stipulations are implemented to protect these resources. For this sale, the plants that Montana Natural Heritage Program information indicated to be of potential concern in Lewis and Clark County include: Missoula phlox and Great Basin downingia. The Rocky Mountain Front sensitive areas stipulation (number 22, Appendix A) addresses these concerns and other vegetation concerns for application numbers 5018-5020 and 5022-5029 in Lewis and Clark County. Vegetation concerns are also covered by utilization of the sensitive areas stipulation (number 21, Appendix A) on application numbers 5012 and 5021 in Lewis and Clark County.

In addition, some tracts contain wooded areas that occur outside the zone covered by the riparian buffer stipulation (number 7, Appendix A). In order to minimize disturbance to this vegetation, the avoid wooded areas stipulation (see stipulation 9, Appendix A) is utilized on 12 various tracts for the December 3, 2002 MT Oil and Gas Lease Sale. This stipulation covers concern for bur oak trees on application number 5045 in Carter County. In Lewis and Clark County (application numbers 5018-5020 and 5022-5029) where the Rocky Mountain Front sensitive areas stipulation (number 22, Appendix A) is utilized, wooded areas are covered by this stipulation. The sensitive areas stipulation (number 21, Appendix A) provides for review of wooded areas and/or other vegetation on application numbers 5012 and 5021 in Lewis and Clark County.

The vegetation survey stipulation (number 15, Appendix A) covers vegetation concerns in Carter County on application number 5039 for Raceme milkvetch, on number 5045 for blue toadflax, and on 5047 for wild lily-of-the-valley. The stream buffer stipulation (number 7, Appendix A) covers concerns for pale-spiked lobelia on application numbers 5033 and 5034 in Richland County.

Since weeds are a concern throughout Montana, a stipulation is added to each lease (see stipulation 4 in Appendix A). This stipulation holds the lessee responsible for controlling noxious weeds introduced by the lessee's activity on the tract and preventing their spread. Where weeds are especially a problem, a special stipulation (stipulation W in Appendix B2) is utilized in addition to stipulation 4. Tracts on the December 3, 2002 sale did not require this special weed stipulation.

E. Land use conflicts:

Nominated tracts are reviewed by TLMD field office personnel for current land use, and potential conflicts are noted. Each lease contains a clause that indicates the oil and gas lessee agrees to be responsible for payment of actual surface damages arising from oil and gas exploration or development. A special stipulation is added to the lease for land involved in the Conservation Reserve Program (CRP) (Appendix A, stipulation 8). This stipulation is applied to application number 5004 in Glacier County, number 5049 in Pondera County, and number 5031 in Toole County. The lease terms also prohibit drilling within 200 feet of a residence or barn (see Appendix B1, Section 28 of the example lease form). Usually, oil and gas activity only impacts a small portion of any lease, and conflicts with current land use are rare.

Special stipulations are also utilized for information, for avoidance, or other needed mitigation as warranted. The December 3, 2002 MT Oil and Gas Lease Sale has three tracts warranting restrictions due to existing surface uses. Two tracts (application numbers 5045 and 5047) in Carter County have active bentonite leases. Stipulation 18, (Appendix A) will be applied to these tracts to provide notification about these pre-existing State of Montana non-metalliferous leases. The TLMD designed a special stipulation (FF in Appendix B, number 19 in Appendix A) for utilization on application number 5045 in Carter County to cover additional restrictions required by a wetlands easement on this tract. Stipulation 20 (see Appendix A) is utilized on application number 5049 in Pondera County to address restrictions on 6.33 acres of the tract. The no-surface occupancy (of highway right-of-way) stipulation (number 17, Appendix A) is used on application number 5016 in Petroleum County since it is a highway tract.

Furthermore, areas where the state does not own the surface receive the stipulation requiring contact of the surface owner. These tracts occur in varied locations and are also designated in the application list by text and an asterisk (see Appendix A, stipulation 6). This contact stipulation is applied to 16 tracts on the December 3, 2002 MT Oil and Gas Lease Sale.

F. Historical and Cultural Resources:

Each nominated tract is reviewed by the TLMD archeologist for the presence of known historical or cultural sites and for the potential of discovery of a new historical or cultural site. Where applicable, TLMD field office staff and the TLMD geologist/hydrologist are consulted regarding paleontological resources on the tracts. A stipulation is added to each lease that protects archaeological, historic, and paleontological sites, and surface activities may be restricted if a significant site is discovered during the lease term (see Appendix A, stipulation 3).

G. Existing facilities/Geologic potential

Each nominated tract is reviewed by the TLMD geologist/hydrologist and Minerals Management Bureau Chief for production potential, production or drilling history, and existing facilities. If concerns exist, stipulations are added to the lease. Example stipulations for these circumstances are located in Appendix B2, stipulations K-M. Two tracts on the December 3, 2002 sale require utilization of the existing facilities stipulation (number 16, Appendix A). It will be applied to application number 5049 in Pondera County, and number 5048 in Stillwater County.

H. Sensitive Areas

The reasons for sensitive area concerns are varied. They can stem from location of the area or result from concerns regarding one or more of the resource areas mentioned above. For tracts nominated in potentially sensitive areas, three special stipulations have been developed that create a tiered environmental review process with the potential for future denial of activities

(Appendix B2, stipulations F-1, F-2, and F-3). For the December 3, 2002 MT Oil and Gas Lease Sale, MT-DNRC received three public comments regarding tracts in Lewis and Clark County by the October 25, 2002 comment deadline. One letter (see Appendix D) advocated application of the Rocky Mountain Front sensitive areas stipulation to tracts in Lewis and Clark County. Another letter recommended that application numbers 5012 and 5021 have the sensitive areas stipulation applied. The writer also indicated that the Rocky Mountain Front sensitive areas stipulation be utilized on the remaining Lewis and Clark County tracts. The third letter urged the MT-DNRC to apply "Sensitive Area Stipulations" to the Lewis and Clark County tracts. As of the October 29, 2002 completion of this environmental assessment, the Department received no additional public comments.

The MT-DNRC proposes to apply the Rocky Mountain Front sensitive areas stipulation (number 21 in the application list in Appendix A) to tracts on the December 3, 2002 MT Oil and Gas Lease Sale. This recommendation is proposed for application numbers 5018-5020 and 5022-5029 in Lewis and Clark County. This proposal results from the location of this school trust land north and west of Highway 200 in Lewis and Clark County. This location falls in the southern portion of the Rocky Mountain Front, i.e. (the lower elevation eastern slopes of the Rocky Mountain Front, generally west of Choteau, Augusta, and Bowmans Corner) depicted in the Interagency Rocky Mountain Front Wildlife Monitoring/Evaluation Program publication.

Pursuant to the Rocky Mountain Front sensitive areas stipulation, "No surface activities shall occur on the lease premises unless and until the Operating Plan or Amendment is approved by the Board." After completion of an environmental review, the Land Board may approve, modify, or deny surface activity on the lease.

Use of the Rocky Mountain Front stipulation by the Land Board results in a lease agreement that expressly precludes any utilization of the surface by the lessee, unless the lessee can formulate an operating and reclamation plan that meets the Land Board's approval as constituting the best use of trust resources or the best interest of the State of Montana. The stipulation also recognizes and requires that any surface utilization of the lease lands would have to adhere to applicable resource guidelines prepared by the Montana Department of Fish, Wildlife and Parks. The stipulation also expressly incorporates a requirement that the environmental impact statement include impact analysis on an ecosystem scale. It is important to note that, unlike the large blocks of Federal ownership along the Rocky Mountain Front, a decision by the Land Board on whether to allow school trust lands to be utilized for exploration or development does not determine whether such activity will occur. The state school trust parcels are scattered along the eastern transition area east of the Front, within an area where private mineral ownership is abundant. The Land Board does not have authority over private land interests.

In addition, the sensitive areas stipulation (number 21, Appendix A) will be applied to tracts in Lewis and Clark County, (application numbers 5012 and 5021) due to their location northwest of Wolf Creek and south and east of Highway 200 in central Lewis and Clark County and their location within the Montana Natural Heritage Program's grizzly bear area.

VII. Impact Analysis

A. No Action Alternative - Deny the oil and gas lease.

If a lease is denied, the only resource that would be negatively impacted is the loss of revenue from rental and royalty payments to the appropriate trust. All other resources would not be affected.

B. Leasing Alternative

Comments received on potential impacts for these tracts are located in Appendices C, D, and E. MT-DNRC submitted the proposed tract list for agency comments on September 27-30, 2002 and requested comments by October 23, 2002 for consideration in formulating the stipulations. Agency comments are included in Appendix C. The tract list was made available to the public in early October 2002 for interested party comments. These comments must have been received by October 25, 2002 for consideration in formulating the stipulations. The three public comments received by MT-DNRC are included in Appendix D. As of the October 29, 2002 completion date of this environmental assessment, the Department has not received any late comments. Tracts nominated for oil and gas leasing and proposed stipulations are listed in Appendix A.

VIII. Need for an Environmental Impact Statement

The DNRC-TLMD is required to evaluate each action to a "level of detail appropriate to the following considerations: ...the complexity of the proposed action,...the environmental sensitivity of the area affected,...the degree of uncertainty that the proposed action will have a significant impact on the quality of the human environment,...and...the need for and complexity of mitigation required to avoid the presence of significant impacts" (ARM 26.2.645 (2)).

Since environmentally sensitive tracts are stipulated for future environmental review with the submittance of an operating plan, all other tracts nominated are located in areas where potential impacts are minor or can be mitigated upon receipt and review of an operating plan, and the BOGC must approve an operating plan within MEPA prior to drilling activity, an Environmental Impact Statement is not required for the leasing action.

IX. Preparers

Compilation and preparation:

Teresa Kinley, Geologist/Hydrologist, Department of Natural Resources and Conservation (DNRC) - Trust Land Management Division (TLMD)

Agencies and persons consulted:

Monte Mason, Minerals Management Bureau Chief, DNRC-TLMD
Patrick Rennie, Archeologist, DNRC-TLMD
Clive Rooney, Area Manager, Northeast Land Office, DNRC-TLMD
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Jim Satterfield, Regional Supervisor, DFWP Region 6
Don Hyppa, Regional Supervisor, DFWP Region 7
Larry Peterson, Montana Dept. Of Fish, Wildlife and Parks, Helena
Martin Miller, Montana Natural Heritage Program
Jodi Peters, BLM, Havre, Montana

X. References

Board of Oil and Gas Conservation. 1989. Programmatic Environmental Impact Statement on Oil and Gas Drilling and Production in Montana, (draft: Jan, 1989, final: Dec, 1989).

Harrison, Hal, 1971, The World of the Snake: Philadelphia and New York, J.B. Lippincott Company, p. 75.

Montana Department of Fish, Wildlife, and Parks, et. al., 1987, Interagency Rocky Mountain Front Wildlife Monitoring/Evaluation Program: Management Guidelines for Selected Species: U.S. Department of the Interior, Bureau of Land Management, BLM-MT-PT-87-003-4111.

Stebbins, Robert C., 1966, A Field Guide to Western Reptiles and Amphibians: Boston, Houghton Mifflin Company, 279 pp.

APPENDIX A: Nominated Tract Locations and Stipulations

STATE OF MONTANA
OIL & GAS LEASE SALE - DECEMBER 3, 2002
PRE-SALE APPLICATION REPORT

APP#	STIP	TWP	RGE	SEC	DESCRIPTION	ACRES
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LESSOR: DEPT OF NATURAL RESOURCES & CONSERVATION

BLAINE

5035	1,2,3,4,5,7	30.N	19.E	14	W2SE4	80.00
5036	1,2,3,4,5,6,7	30.N	20.E	18	LOTS 3, 4, NE4, E2SW4	325.41
5037	1,2,3,4,5,7	30.N	20.E	19	LOT 1, SE4, E2NW4	282.66
5038	1,2,3,4,5,7	30.N	20.E	29	E2	320.00
5001	1,2,3,4,5,9,13	32.N	17.E	1	LOTS 3, 4	59.90
5002	1,2,3,4,5,9,13	32.N	17.E	2	LOTS 1, 2, 3	91.57
5015	1,2,3,4,5,11,13	34.N	19.E	35	NW4NW4	40.00

CARTER

5039	1,2,3,4,5,7,15	7.S	57.E	36	ALL	640.00
5040	1,2,3,4,5,7	8.S	57.E	16	ALL	640.00
5041	1,2,3,4,5,7,10,11,12	8.S	58.E	36	ALL	640.00
5042	1,2,3,4,5,7	8.S	59.E	16	ALL	640.00
5043	1,2,3,4,5,7,9,10	8.S	59.E	36	LOTS 1 THRU 7, W2NE4, NW4, N2SW4, NW4SE4	612.46
5044	1,2,3,4,5,7,10,11,12	9.S	58.E	16	ALL	640.00
5045	1,2,3,4,5,7,9,10,12, 15,18,19	9.S	58.E	36	LOTS 1 THRU 18, NW4, N2SW4	877.60
5046	1,2,3,4,5,7,9,12	9.S	59.E	16	ALL	640.00
5047	1,2,3,4,5,6,7,9,10, 12,13,15,18	9.S	59.E	36	LOTS 1, 2, 3, 4, N2, N2S2	664.40

DANIELS

5007	1,2,3,4,5,7,11	34.N	45.E	15	NW4	160.00
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FALLON

5003	1,2,3,4,5,7	5.N	59.E	36	ALL	640.00
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GALLATIN

5017	Withdrawn from lease sale	1.S	7.E	16	LOTS 1 THRU 8, W2	666.16
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GLACIER

5004	1,2,3,4,5,8	34.N	6.W	36	NW4, N2SW4, SW4SW4	280.00
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HILL

5014	1,2,3,4,5,6,13	33.N	17.E	21	S2SE4	80.00
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APP#	STIP	TWP	RGE	SEC	DESCRIPTION	ACRES
LEWIS & CLARK						
5012	2,3,4,5,21	16.N	5.W	32	N2SW4, SE4SW4	120.00
5018	2,3,4,5,6,22	17.N	5.W	6	LOTS 1 THRU 7, S2NE4, SE4NW4, E2SW4, SE4	* 647.63
5019	2,3,4,5,6,22	17.N	5.W	16	ALL	* 640.00
5020	2,3,4,5,22	17.N	5.W	18	LOTS 3, 4, E2SW4, SE4	319.45
5021	2,3,4,5,6,21	17.N	5.W	32	NE4, NE4NW4	* 200.00
5022	2,3,4,5,22	17.N	6.W	12	E2	320.00
5023	2,3,4,5,6,22	18.N	6.W	16	ALL	* 640.00
5024	2,3,4,5,22	18.N	6.W	20	SW4SW4	40.00
5025	2,3,4,5,22	18.N	6.W	26	ALL	640.00
5026	2,3,4,5,14,22	18.N	6.W	28	E2NE4, E2SW4, SE4, DEARBORN RIVERBED	331.00
5027	2,3,4,5,22	18.N	6.W	36	ALL	640.00
5028	2,3,4,5,6,22	20.N	7.W	19	NW4NE4, S2NE4, E2NW4, NE4SW4, SE4	* 400.00
5029	2,3,4,5,22	20.N	7.W	33	NE4NE4, S2S2	200.00
MCCONE						
5013	1,2,3,4,5,7,9,10,11,13	27.N	50.E	36	ALL	640.00
MUSSELSHELL						
5008	1,2,3,4,5,7,9,10,11	9.N	25.E	16	ALL	640.00
5009	1,2,3,4,5,7,9,10	9.N	25.E	36	ALL	640.00
5010	1,2,3,4,5,6,7,9,13	9.N	27.E	36	ALL, LESS PATENTED RR R/W	* 613.50
5011	1,2,3,4,5,7,11	10.N	24.E	36	ALL	640.00
PONDERA						
5049	1,2,3,4,5,6,7,8,16,20	28.N	1.W	36	ALL	* 640.00
RICHLAND						
5034	1,2,3,4,5,6,7,10	24.N	59.E	36	NW4, BELOW THE BASE OF THE MISSION CANYON FORMATION	* 160.00
5033	1,2,3,4,5,6,7,9	24.N	59.E	36	N2NE4, SW4NE4	* 120.00
5006	1,2,3,4,5,7	26.N	53.E	36	ALL	640.00
ROOSEVELT						
5005	1,2,3,4,5,6,7,11	28.N	58.E	16	NW4	* 160.00
ROSEBUD						
5050	1,2,3,4,5,7,10	10.N	34.E	16	ALL	640.00
5051	1,2,3,4,5,7	10.N	34.E	32	ALL	640.00
5052	1,2,3,4,5,7	10.N	34.E	36	ALL	640.00

APP#	STIP	TWP	RGE	SEC	DESCRIPTION	ACRES
5053	1,2,3,4,5,7	10.N	35.E	16	ALL	640.00
5054	1,2,3,4,5,7	10.N	35.E	32	S2, W2NE4, NW4	560.00
5055	1,2,3,4,5,7,10	10.N	35.E	36	ALL	640.00
5056	1,2,3,4,5,7,10	10.N	36.E	6	LOTS 1 THRU 5, S2NE4, SE4NW4	311.60
5057	1,2,3,4,5,7,10	10.N	36.E	9	ALL	640.00
5058	1,2,3,4,5,7,10	10.N	36.E	16	ALL	640.00
5059	1,2,3,4,5,7,10	10.N	36.E	36	ALL	640.00
5060	1,2,3,4,5,7	11.N	34.E	4	S2	320.00
5061	1,2,3,4,5,7	11.N	34.E	16	ALL	640.00
5062	1,2,3,4,5,7	11.N	34.E	18	E2E2, SW4NE4, SE4NW4, NE4SW4, NW4SE4	320.00
5063	1,2,3,4,5,7,10	11.N	34.E	31	LOTS 1, 2, 3, 4, E2, E2W2	629.08
5064	1,2,3,4,5,7	11.N	34.E	36	ALL	640.00
5065	1,2,3,4,5,7,10	11.N	35.E	16	ALL	640.00
5066	1,2,3,4,5,7,10	11.N	35.E	36	ALL	640.00
5067	1,2,3,4,5,7,10	11.N	36.E	16	ALL	640.00
5068	1,2,3,4,5,6,7	11.N	36.E	36	ALL	640.00
5069	1,2,3,4,5,7,10	12.N	35.E	16	ALL	640.00
5070	1,2,3,4,5,7,9,10	12.N	35.E	36	ALL	640.00

STILLWATER

5048	1,2,3,4,5,6,7,11,16	2.N	20.E	16	ALL	*	640.00
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TOOLE

5030	1,2,3,4,5,7	31.N	1.E	26	NE4		160.00
5031	1,2,3,4,5,6,7,8	31.N	1.E	36	ALL	*	640.00
5032	1,2,3,4,5,7	35.N	3.E	36	ALL		640.00

LESSOR: DEPT OF TRANSPORTATION

PETROLEUM

5016	1,2,3,4,5,17	12.N	25.E	33	HIGHWAY TRACT IN SE4SW4, SE4		74.17
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* Part or all of the tract is not state-owned surface.

Additional lease stipulations are listed on the following pages. The STIP column on the lease sale list identifies which stipulations will be attached to each tract.

Sight drafts will not be accepted. The State Board of Land Commissioners reserves the right to reject any and all bids. All payments are due within ten days after date of sale.

An Environmental Assessment is available upon request from the Department of Natural Resources and Conservation, Trust Land Management Division, P.O. Box 201601, Helena, MT 59620-1601.

Individuals with disabilities needing assistance or special services, please call Julie David at (406) 444-4576 at least 1 week prior to the sale.

STATE BOARD OF LAND COMMISSIONERS

STIPULATIONS

1. Lessee shall notify and obtain approval from the Department's Trust Land Management Division (TLMD) prior to constructing well pads, roads, power lines, and related facilities that may require surface disturbance on the tract. Lessee shall comply with any mitigation measures stipulated in TLMD's approval.
2. Prior to the drilling of any well, lessee shall send one copy of the well prognosis, including Form 22 "Application for Permit" to the Department's Trust Land Management Division (TLMD). After a well is drilled and completed, lessee shall send one copy of all logs run, Form 4A "Completion Report", and geologic report to TLMD. A copy of Form 2 "Sundry Notice and Report of Wells" or other appropriate Board of Oil and Gas Conservation form shall be sent to TLMD whenever any subsequent change in well status or operator is intended or has occurred. Lessee shall also notify and obtain approval from the TLMD prior to plugging a well on the lease premises.

Issuance of this lease in no way commits the Land Board to approval of coal bed methane production on this lease. Any coal bed methane extraction wells would require subsequent review and approval by the board.

3. The TLMD will complete an initial review for cultural resources and, where applicable, paleontological resources of the area intended for disturbance and may require a resources inventory. Based on the results of the inventory, the TLMD may restrict surface activity for the purpose of protecting significant resources located on the lease premises.
4. The lessee shall be responsible for controlling any noxious weeds introduced by lessee's activity on State-owned land and shall prevent or eradicate the spread of those noxious weeds onto land adjoining the lease premises.
5. The definitions of "oil" and "gas" provided in 82-1-111, MCA, do not apply to this lease for royalty calculation purposes.
6. Lessee must contact the owner of the surface in writing at least 30 days prior to any surface activity. A copy of the correspondence shall be sent to TLMD.
7. No activity shall be allowed within 100 feet of any perennial or seasonal stream, pond, lake, prairie potholes, wetland, spring, reservoir, well, aqueduct, irrigation ditch, canal, or related facilities without prior approval of the TLMD.
8. The lessee is responsible to pay for all damages, including penalties and charges assessed by the USDA-CFSA on CRP lands, as a result of drilling and production on the tract. All damages will be assessed by and paid directly to the TLMD.
9. Wooded areas on this tract will be avoided unless otherwise authorized by the TLMD.
10. Due to unstable soil conditions on this tract and/or topography that is rough and/or steep, surface use may be restricted or denied. Seismic activity may be restricted to poltershots.
11. Wildlife species of concern have been identified on or near this tract. A survey in areas of proposed activity may be required prior to disturbance. Identified species will be avoided, unless otherwise authorized by the TLMD. Additional mitigation measures may also be required.

STIPULATIONS

12. Potential wildlife conflicts have been identified for this tract. The TLMD will contact the Montana Department of Fish, Wildlife, and Parks office in the area for advice on alleviating any possible conflicts caused by lessee's proposed activities. Additional mitigation measures may be required.
13. Any activity within 1/8 mile of the river, flood plain, or lake/reservoir on or adjacent to this tract must be approved in writing by the TLMD prior to commencement. No surface occupancy is allowed within the bed of the river, abandoned channels, the bed of the lake/reservoir, or on islands and accretions associated with the river or lake/reservoir.
14. This tract contains navigable river beds. No surface occupancy is allowed within the bed of the navigable river, abandoned channels, or on islands and accretions. In addition, upon completion of a successful well, where river title is disputed, the lessee will file an interpleader action under Rule 22, M.R.Civ.P. in the Montana District Court in which the leased lands are located for all acreage within the lease in which the title is disputed. The lessee shall name all potential royalty claimants as defendants.
15. Plant species of concern have been identified on or near this tract. A vegetation survey in areas of proposed activity will be required prior to disturbance. Identified rare plant species will be avoided, unless otherwise authorized by the TLMD.
16. This tract has (an) existing well(s) and related facilities. The lessee has 45 days from the effective date of this lease to determine whether or not to assume responsibility from the former lessee for the well and any existing facilities. The lessee may not enter the well until a change of operator has been filed with, and approved by, the Board of Oil and Gas Conservation.
17. No surface occupancy shall be allowed on any portion of this tract, which is indicated as right-of-way on the official highway plans on file at the Department of Transportation in Helena, Montana without prior written approval from TLMD.
18. This lease is issued subject to a prior existing State of Montana bentonite lease. Lessee's right to search, develop, and produce oil and gas may be restricted by such prior existing lease rights.
19. No surface occupancy shall be allowed on the 16.319 acres of this tract covered by a wetlands easement issued to Montana Department of Transportation.
20. Occupation of 6.33 acres in the EXSE% may be restricted or denied pursuant to the right-of-way deed granted to the U.S. Air Force for a restricted area.
21. This lease includes areas that may be environmentally sensitive. Therefore, if the lessee intends to conduct any activities on the lease premises, the lessee shall submit to TLMD one copy of an Operating Plan or Amendment to an existing Operating Plan, describing in detail the proposed activities. No activities shall occur on the tract until the Operating Plan or Amendments have been approved in writing by the Director of the Department. TLMD shall review the Operating Plan or Amendment and notify the lessee if the Plan or Amendment is approved or disapproved.

After an opportunity for an informal hearing with the lessee, surface activity may be denied or restricted on all or portions of any tract if the Director determines in writing that the proposed surface activity will be detrimental to trust resources and therefore not in the best interests of the trust.

STIPULATIONS

22. This lease is located near the Rocky Mountain Front and includes areas that are environmentally sensitive. Therefore, except as otherwise provided below, the lessee shall not conduct any surface operations on the lease premises. If the lessee determines that surface operation on the lease premises may be required, the lessee shall submit a proposed Operating Plan or Amendment to an existing Operating Plan to the State Board of Land Commissioners describing in detail the proposed operations. No surface activities shall occur on the lease premises unless and until the Operating Plan or Amendment is approved by the Board. In determining whether to approve the proposed Operating Plan or Amendment, the following provisions shall apply:

- 1) If the lessee proposes an activity that does not entail any significant surface disturbance, the Board may approve the same after completion of the appropriate environmental review in accordance with the Montana Environmental Policy Act (MEPA) and an opportunity for public comment on the proposed activity has been provided.
- 2) Before the Board approves any proposed activity on the lease premises that entails a significant surface disturbance, an environmental impact statement (EIS) shall be completed in accordance with MEPA. The EIS shall analyze the potential impacts of alternative and future potential levels of oil and gas development and extraction on an ecosystem scale as the ecosystem is defined by the "Limits of Acceptable Change - Bob Marshall Wilderness Complex" adopted by the Montana Department of Fish, Wildlife and Parks in December 1991. The analysis shall consider all relevant information, which may include, but is not limited to, existing environmental reviews and management plans. Public involvement in the environmental review process shall be actively solicited by the preparer of the environmental review document and shall include, at minimum, adequately noticed public meetings in at least three communities including Great Falls and Helena.
- 3) The proposed surface activity shall adhere to the "Interagency Rocky Mountain Front, Wildlife Monitoring/Evaluation Program, Management Guidelines for Selected Species" adopted by the Montana Department of Fish, Wildlife and Parks in September 1987, or any successor guidelines thereto.
- 4) The Board may refuse to approve any proposed surface operations if it determines that they do not constitute the best use of trust resources or are not in the best interest of the State of Montana.

Appendix B1: Example Oil and Gas Lease.

State of Montana OIL AND GAS LEASE

No. _____

THIS INDENTURE OF LEASE, entered into between the State of Montana, through its Board of Land Commissioners, hereinafter referred to as lessor, and the person, company, or corporation herein named, hereinafter referred to as lessee, pursuant to the provisions of Title 77, Chapter 3, Part 4, M.C.A., and all acts amendatory thereof and supplementary thereto, WITNESSETH:

1. GRANTING CLAUSE—The lessor, in consideration of the annual rentals herein stated, the receipt of which for the first year of this lease is hereby acknowledged, the royalties to be paid, and the covenants to be kept and performed by the lessee, hereinafter set forth, hereby grants, demises, leases and lets to the lessee, for the purpose of mining and operating for oil and gas, and of laying pipelines, building tanks, power stations, and other structures thereon necessary in order to produce, save, care for, dispose of and remove the oil and gas, all the lands herein described, as follows:

Date this lease takes effect:

Name of Lessee:

Address:

Land Located in:

County:

Description of land:

Total number of acres, more or less,

, belonging to

Grant.

Annual rental, payable each year in advance:

2. TERM AND HORIZONTAL SEGREGATION—This lease is granted for a primary term of ten years and so long thereafter as oil and gas in paying quantities shall be produced from the land, subject to all of the terms and conditions herein set forth; provided, however, that:

- (a) The extended term of this lease shall apply only to those formations discovered, developed or drilled during the primary term of ten years, and the interest of the lessee in the premises herein described shall thereafter be limited to such formations.
- (b) If oil and gas in paying quantities is discovered in an offset well on a contiguous section during the extended term of this lease in any formation in the zone between the deepest formation to which the lessee drilled during the primary term of this lease and the deepest formation in which oil or gas has been discovered on the leased premises, this lease shall terminate as to said zone unless, within 60 days after the completion of such offset well, the lessee shall commence operations to test such a formation.

IT IS MUTUALLY UNDERSTOOD, AGREED AND COVENANTED BY AND BETWEEN THE PARTIES TO THIS LEASE AS FOLLOWS

3. LEASE EXTENSION—The Board of Land Commissioners may grant reasonable extensions of the primary term of this lease upon a showing that lessee, despite due care and diligence, is or has been directly or indirectly prevented from exploring, developing, or operating this lease or is threatened with substantial economic loss due to litigation regarding this lease or another lease in the immediate area held by the lessee, state compliance with the Montana Environmental Policy Act, or adverse conditions caused by natural occurrences.

4. LAND DISPOSITIONS—The lessor expressly reserves the right to sell, lease, or otherwise dispose of any interest or estate in the lands hereby leased, except the interest conveyed by this lease. However, lessor agrees that sales, leases, or other dispositions of any interest or estate in the lands hereby leased shall be subject to the terms of this lease, and shall not interfere with the lessee's possession or rights hereunder.

5. RENTAL—The lessee shall pay to the lessor an annual money rental in the amount hereinabove stated being not less than one dollar and fifty cents (\$1.50) for each acre of land held under this lease from year to year, provided, however, that the amount of such money rental so payable shall in no case be less than one hundred dollars (\$100.00) per annum. The first year's rental must be paid before the issuance of the lease. The rentals for each subsequent year of the lease shall be due and payable before the beginning of such subsequent lease year. Upon failure to make the rental payment, the lease terminates unless there is a well currently being drilled, a producing well, or a shut-in well approved by the Department of Natural Resources and Conservation, Trust Land Management Division (Department) on the lease. Rental paid for any year must be credited against any royalty that accrues during that year.

6. ROYALTY ON OIL—The lessee shall pay in money or in kind to the lessor at its option as hereinafter provided during the full term of this lease a royalty of 13%, free of all costs and deductions, on the average production of the oil from producing wells under this lease for each calendar month.

7. ROYALTY ON GAS—The lessee shall also pay in money or in kind to the lessor at its option as hereinafter provided during the full term of this lease, free of costs and deductions, a royalty on the gas produced from the wells under this lease whether the wells produce oil and gas or gas alone, of twelve and one-half percentum (12½%)

8. **SHUT IN GAS ROYALTY**—The royalty on gas, including casinghead gas and all gaseous substances not sold or used off the premises, must be at the rate of \$400 per lease each year or the amount of the annual rental provided in the lease, whichever is the greater, payable on or before the annual anniversary date of the lease. As long as the leased lands contain a well capable of production in paying quantities and the requisite payment is made, the lease must be considered as a producing lease under the terms herein.

9. **ROYALTIES BASED ON PRODUCTION**—All royalties shall be calculated upon the total amount produced and saved under this lease exclusive of oil and/or gas used for light, fuel or operating purposes in connection with the work on the lands under the lease.

10. **FULL PRODUCTION REQUIRED**—All wells under this lease shall be so drilled, maintained and operated as to produce the maximum amount of oil and/or gas which can be secured without injury to wells and the aforesaid royalties shall be based and calculated on such full production of oil and/or gas.

11. **ROYALTY PAYMENT**—The lessee shall pay to the lessor in cash for such royalty oil and gas at the rate of the posted field price therefor existing on the day such oil or gas was run into any pipeline or storage tank to the credit of the lessee plus any bonus or other increase in price actually paid or agreed to be paid to the lessee.

12. **IN-KIND OIL OR GAS**—At the option of the lessor exercised not more frequently than once every thirty days by notice in writing the lessee shall deliver the State's royalty oil or gas free of cost or deductions into the pipeline to which the wells of the lessee may be connected or into any storage designated by the State and connected with such wells. The lessee shall not be required to furnish storage for the State's royalty oil for more than thirty (30) days following the date of production thereof when a market therefor is available.

13. **FAIR MARKET VALUE**—In all cases where there is no posted field price for oil or gas produced under this lease, the payments in cash for the royalties payable hereunder shall never be less than the fair market value thereof, for oil, at the wells where produced on the day it is run into the pipeline or storage tanks, and for gas, at the well where produced on the day produced. It is agreed that helium gas, carbon dioxide gas, and all other natural gases are included under the term "gas" as used in this lease.

14. **LIENS ON PRODUCTION**—The lessor shall have a first lien upon all oil or gas produced from the lands leased hereunder, to secure the payment of all unpaid royalty and other sums of money that may become due under the terms herein.

15. **POOLING AND UNITIZATION**—Upon receiving the written consent of the lessor, the lessee shall have the right to commit the lands hereby leased to a pooling, unit, cooperative or other plan of development or operation with other State lands, Federal lands, privately-owned lands or Indian lands. Such agreements shall not change the percentage of royalties to be paid to the state from the percentages as fixed herein. Oil or gas produced from any lands included in such an agreement which encompasses the lands hereby leased are considered to be produced from the lands hereby leased.

16. **FARM LOAN ACQUISITIONS**—If the land under this lease is "mortgaged land" acquired by the State in connection with a mortgage given to the State as security for a loan and such mortgage land has been sold by the State subsequent to July 1, 1927, and prior to February 26, 1929, the lessee shall pay directly to the holder of such land under certificate of purchase or other contract, or deed from the State, a royalty of one percentum (1%) of the oil and gas produced from such land to be calculated on the same basis and in the same manner as the royalty to be paid to the State, but the said royalty of one percentum shall be deducted from the royalty to be paid to the State so that such one percentum royalty does not increase the total royalty to be paid under this lease, and if such mortgage land was sold by the State between March 15, 1935, and July 1, 1961, the lessee shall pay directly to the holder of such land under certificate of purchase or other contract or deed from the State, a royalty of six and one-fourth percentum (6¼%) of the oil and gas produced from such land to be calculated as hereinbefore specified.

17. **DELAY DRILLING PENALTY**—Unless this lease is surrendered, is terminated by lessee's failure to pay rentals when due, or is terminated by the Board of Land Commissioners because of the failure of the lessee to comply with the express and implied covenants of this lease, the Board of Land Commissioners may, in its discretion and as provided by law, cancel and terminate this lease upon the failure of the lessee (1) to commence within five (5) years of the effective date of this lease, drilling of at least one well upon the leased premises of such diameter and to such depth as may be necessary to make a reasonable test for oil and gas; or (2) pay in advance a delay drilling penalty of one dollar and twenty-five cents (\$1.25) per acre for the sixth year of the lease in addition to the annual rental; or (3) pay in advance a delay drilling penalty of two dollars and fifty cents (\$2.50) per acre per annum for the seventh through the tenth year of the lease in addition to the annual rental. The lessee shall notify the Department of the commencement of drilling of any well within five (5) days after the well is spudded in. The Board shall refund delay drilling penalties paid on a lease for any year in which the lessee commences drilling on that lease.

18. **DRY HOLE CLAUSE**—Following the termination of the fourth year of this lease, if the lessee drills a dry hole on the lease premises prior to discovery of oil or gas or if after discovery of oil or gas, production thereof in paying quantities ceases, the lease may be terminated by the Board unless the lessee (1) commences drilling of another well for oil and/or gas before the 7th year of this lease or second anniversary of the lease following completion of the well, whichever comes later, or (2) unless the lessee, on or before such anniversary date resumes payment of any delay drilling penalties imposed by the Board. For purposes of this lease "dry hole" is defined as a completed well which is not capable of producing oil and/or gas in paying quantities when completed.

19. **DRILLING EXTENSION**—If at the expiration of the primary term hereof oil or gas is not being produced from the lease premises in paying quantities, but the owner of the lease is then engaged in drilling on the premises for oil and gas, then the lease continues in effect so long as such drilling operations are being diligently prosecuted. If oil or gas is recovered from any such well drilled or being drilled at or after the expiration of the primary term hereof, the lease continues in effect so long as oil or gas in paying quantities is being produced from the leased premises.

20. **DUE DILIGENCE**—Upon completion of a commercially productive oil or gas well upon the leased premises, the lessee shall proceed with reasonable diligence to drill such additional wells to the depth of the formation found commercially productive, or to such depth as may be necessary to economically test, develop and operate the deposits discovered.

21. **OFFSET PROTECTION**—The lessee shall commence promptly and diligently drill to completion all wells necessary on the lands under this lease in order to fairly offset commercially producing oil or gas wells on contiguous lands or pay a compensatory royalty.

22. **WASTE PROHIBITED**—In conducting all explorations, mining or drilling operations under this lease, the lessee shall exercise all reasonable care and precautions in order to prevent waste of oil and gas. The lessee shall also at all times use all reasonable care and precautions to prevent the entrance of water to the oil or gas bearing strata to the destruction or injury thereof.

23. **LOGS REQUIRED**—The lessee agrees to keep a correct log of each well drilled under this lease, showing the formations passed through, the depth at which such formation was reached, the thickness of each formation, the water-bearing formations and the character of water therein, the elevations to which the water rises, the number of feet of casing set in such well and where placed, its size and the total depth to which such well was drilled, and upon request, to file the log with the Department.

24. **PROGRESS REPORTS REQUIRED**—When called upon to do so, the lessee shall also file progress reports with the Department before the completion or abandonment of any well.

25. **PRODUCTION REPORTS AND PAYMENT OF ROYALTY**—The lessee further agrees on or before the last day of each month to make a report to the Department for operations covering the preceding calendar month, which report shall be in such form as the Department may prescribe and shall show the amount of oil or gas produced and saved during the preceding calendar month, the price obtained therefor, the total amount of all sales, whether any bonus or other increase in price was actually paid or agreed to be paid and such additional information as may be required. Such report shall be signed by the lessee or by some responsible person having knowledge of the facts contained therein. The report shall be accompanied by payment of the amount due the State as royalty for the month covered by the report where payment is required in money in place of oil or gas.

26. **COMPLETION REPORTS REQUIRED**—When the lessee is required by the rules of the Board of Oil and Gas Conservation to file a well completion report with that board, lessee shall file one copy of that report with the Department.

27. **LESSOR'S RIGHT TO INSPECT**—Representatives of the lessor shall at all times have the right to enter upon the granted premises and all parts thereof for the purpose of inspecting and examining the same, as well as supervising tests that they may deem necessary to ascertain the condition of the wells being drilled or about to be abandoned and gauging the production of producing wells. Representatives of the lessor shall also, at all reasonable hours, have free access to all books, accounts, records and papers of the lessee insofar as they contain information relating to the production obtained under this lease, the price obtained therefor, and the fair market value of the production. Lessor shall also have free access to agreements relating to production hereunder.

28. **SURFACE OWNER'S OR LESSEE'S RIGHTS**—The lessee hereunder agrees to provide the surface owner and surface lessee with a plan for location of all facilities and consult with the surface owner and surface lessee regarding a reasonable location of access roads. In all operations on the land hereby leased, lessee agrees to interfere as little as possible with the use of the premises for any other purpose to which the same may be devoted by other persons to whom the land may have been leased or sold by the State. The lessee shall not drill any well upon the lands hereby leased, within two hundred feet (200') of any residence or barn now or hereafter erected thereon without the consent of the owner of such building. The lessee hereby agrees to make satisfactory adjustment with the owner or lessee of the surface, including the State of Montana, for damages sustained by such surface owner, the lessee, or the State of Montana by reason of the lessee's entry upon, use and occupancy of, the surface of the land. If amicable determination of damages cannot be made between such surface owner, lessee, or the State of Montana and the lessee hereunder, then, upon the agreement of the surface owner or lessee to enter into arbitration, the damages to be paid to the surface owner or lessee shall be fixed by a board of arbitrators of three persons, to be appointed as follows: one by the State of Montana or the owner or lessee of the surface who is claiming damages, one by the lessee hereunder, and the third by the two arbitrators so appointed. The lessee hereby agrees to make prompt payment of the damages awarded by such board of arbitrators.

In any case where the owner of the surface claims title under a "C" patent issued by the State of Montana, and demands that the Board fix, allow and pay the owner the reasonable value of any right of way established by the lessee hereunder, the Department shall charge the cost of fixing the amount of damages to the lessee hereunder. The lessee hereunder shall pay the reasonable sum so fixed as damages to the Board, which will pay the surface owner.

29. **ASSIGNMENTS**—The lessee may assign this lease either in whole or as to any regular subdivision thereof, embracing not less than forty (40) acres, to any qualified assignee, providing that such assignment shall not be binding upon the State until it has been filed with the Department accompanied by the required fees. No assignment to two or more assignees will be approved until one of the assignees is designated to act as agent for the assignees.

30. **RELINQUISHMENTS**—The lessee shall have the right at the termination of any rental year, by giving at least thirty (30) days previous notice in writing to the Department, to surrender and relinquish any legal subdivisions of the land hereby leased and thereupon be discharged from any obligation not theretofore accrued as to the lands so surrendered and relinquished. When this lease terminates as to any portion less than the whole of the lands covered hereby, because of the lessee's failure to pay rental when due, lessee agrees to submit to the lessor, within thirty (30) days after such termination, a written surrender and relinquishment of those lands.

31. **CANCELLATION**—It is understood and agreed that the lessor hereby reserves the right to declare this lease forfeited and to cancel the same through the Board of Land Commissioners upon failure of the lessee to fully discharge all the obligations provided herein, after written notice from the Board and reasonable time fixed and allowed by it to the lessee for the performance of any undertaking or obligation specified in such notice concerning which the lessee is in default. The lessee, upon written application therefor, shall be granted a hearing on any notice or demand of the Board before the lease shall be declared forfeited or canceled. The provisions of this clause shall not in any way affect an automatic termination of this lease caused by lessee's failure to pay rental when due.

32. **SURRENDER POSSESSION**—Upon the termination of this lease for any cause the lessee shall surrender possession of the leased premises to the lessor subject to lessee's right to re-enter, hereby granted, at any time within six months after the date of such termination, for the purpose of removing all machinery, fixtures, improvements, buildings and equipment belonging to the lessee remaining upon the premises except casing in wells and other equipment or apparatus necessary for the preservation of any oil or gas well or wells. It is hereby agreed that any succeeding lessee, or in the event there be no succeeding lessee, the lessor, wishing to have such property left permanently upon the premises, shall pay the reasonable value thereof, in cash, to the lessee, but if the succeeding lessee or the lessor, acting through its Board of Land Commissioners, shall be unable to agree with the lessee upon the reasonable cash value of such casing, equipment and apparatus, then the succeeding lessee or the lessor herein, as the case may be, shall pay in cash to the lessee hereunder, such sum as may be fixed as a reasonable price by a board of three appraisers, one of whom shall be chosen by the succeeding lessee or the State of Montana as the case may be, one by the lessee hereunder, and the third by the two chosen, and whose appraisal shall be reported to the respective parties, in writing, and is final and conclusive. If the lessee or succeeding lessee refuses to appoint an appraiser within fifteen (15) days of a request to do so by the Department, the Department may appoint an appraiser for the lessee or succeeding lessee. Unless the Department gives written authorization, the lessee may not remain in possession or manage the land and property formerly covered by the lease. During the time the lessee remains in authorized possession, the lessee shall be entitled to retain the same share of the products of the lands as inured to the lessee during the term of this lease. Should the lessor herein or any succeeding lessee not desire any of the lessee's property permanently left upon the premises, as provided in this paragraph, the lessee shall properly plug all non-producing wells and remove all of his property from the lands with reasonable diligence. If any of the property of the lessee is not removed from the leased premises within six months of the termination date of the lease as herein provided the same shall be deemed forfeited to the State of Montana and shall become its property.

33. COMPLIANCE WITH LAWS, RULES AND REGULATIONS—The lessee agrees to comply with all applicable laws, rules and regulations in effect at the date of this lease, particularly the Rules Governing the Issuance of Oil and Gas Leases on State Lands of the State of Montana. The lessee agrees to comply with all applicable laws, rules and regulations which may, from time to time, be adopted and which do not impair the obligations of this contract and which do not deprive the lessee of an existing property right recognized by law.

34. WARRANTY OF TITLE—It is understood and agreed that this lease is issued only under such title as the State of Montana may now have or hereafter acquire, and that the lessor shall not be liable for any damages sustained by the lessee, nor shall the lessee be entitled to or claim any refund of rentals or royalties theretofore paid to the lessor in the event the lessor does not have the title to the oil and gas in the leased lands. If the lessor owns a lesser interest in the leased lands than the entire and undivided fee simple estate in underlying oil and gas for which rental and royalty is payable, then the rentals and royalties herein provided shall be paid the lessor only in the proportion which its interest bears to the whole and undivided fee simple estate in the oil and gas for which royalty is payable.

35. LEGAL FEES—In the event lessor shall institute and prevail in any action or suit for the enforcement of any provisions of this lease, lessee will pay to lessor a reasonable sum for costs incurred on account thereof.

36. SPECIAL PROVISIONS:

SEE EXHIBIT "A" (Tract-Specific Stipulations Attached)

37. EXECUTING PARTIES BOUND—All covenants and agreements herein set forth between the parties hereto shall extend to and bind their successors, heirs, executors and assigns.

IN WITNESS WHEREOF, the State of Montana and the lessee have caused this lease to be executed in duplicate and the Director of the Montana Department of Natural Resources and Conservation, pursuant to the authority granted him by the Board of Land Commissioners of the State of Montana, has hereunto set his hand and affixed the seal of the Board of Land Commissioners this ____

day of _____

Lessee

Director of the Department of Natural Resources
and Conservation

Address

Appendix B2: Example Stipulations for Oil and Gas Leasing.

Stipulations marked with (*) are placed on all leases.

Notification

- A-1. Lessee shall notify and obtain approval from the Department's Trust Land Management Division (TLMD) prior to constructing well pads, roads, power lines, and related facilities that may require surface disturbance on the tract. Lessee shall comply with any mitigation measures stipulated in TLMD's approval.
- *A-2. Prior to the drilling of any well, lessee shall send one copy of the well prognosis, including Form 22 "Application for Permit" to the Department's Trust Land Management Division (TLMD). After a well is drilled and completed, lessee shall send one copy of all logs run, Form 4A "Completion Report", and geologic report to TLMD. A copy of Form 2 "Sundry Notice and Report of Wells" or other appropriate Board of Oil and Gas Conservation form shall be sent to TLMD whenever any subsequent change in well status or operator, is intended or has occurred. Lessee shall also notify and obtain approval from the TLMD prior to plugging a well on the lease premises.

Issuance of this lease in no way commits the Land Board to approval of coal bed methane production on this lease. Any coal bed methane extraction wells would require subsequent review and approval by the board.

Cultural

- *B. The TLMD will complete an initial review for cultural resources and, where applicable, paleontological resources of the area intended for disturbance and may require a resources inventory. Based on the results of the inventory, the TLMD may restrict surface activity for the purpose of protecting significant resources located on the lease premises.

Weeds

- *C. The lessee shall be responsible for controlling any noxious weeds introduced by Lessee's activity on State-owned land and shall prevent or eradicate the spread of those noxious weeds onto land adjoining the lease premises.

Royalty Calculation

- *D. The definitions of "oil" and "gas" provided in 82-1-111, MCA, do not apply to this lease for royalty calculation purposes.

CRP Land and Damages

- E. The lessee is responsible to pay for all damages, including penalties and charges assessed by the USDA-CFSA on CRP lands, as a result of drilling and production on the tract. All damages will be assessed by and paid directly to the TLMD.

Sensitive Areas

- F-1. This lease includes areas that may be environmentally sensitive. Therefore, if the lessee intends to conduct any activities on the lease premises, the lessee shall submit to TLMD one copy of an Operating Plan or Amendment to an existing Operating Plan, describing in detail the proposed activities. No activities shall occur on the tract until the Operating Plan or Amendments have been approved in writing by the Director of the Department. TLMD shall review the Operating Plan or Amendment and notify the lessee if the Plan or Amendment is approved or disapproved.

After an opportunity for an informal hearing with the lessee, surface activity may be denied or restricted on all or portions of any tract if the Director determines in writing that the proposed surface activity will be detrimental to trust resources and therefore not in the best interests of the trust.

F-2. This lease is located near the Rocky Mountain Front and includes areas that are environmentally sensitive. Therefore, except as otherwise provided below, the lessee shall not conduct any surface operations on the lease premises. If the lessee determines that surface operation on the lease premises may be required, the lessee shall submit a proposed Operating Plan or Amendment to an existing Operating Plan to the State Board of Land Commissioners describing in detail the proposed operations. No surface activities shall occur on the lease premises unless and until the Operating Plan or Amendment is approved by the Board. In determining whether to approve the proposed Operating Plan or Amendment, the following provisions shall apply:

1) If the lessee proposes an activity that does not entail any significant surface disturbance, the Board may approve the same after completion of the appropriate environmental review in accordance with the Montana Environmental Policy Act (MEPA) and an opportunity for public comment on the proposed activity has been provided.

2) Before the Board approves any proposed activity on the lease premises that entails a significant surface disturbance, an environmental impact statement (EIS) shall be completed in accordance with MEPA. The EIS shall analyze the potential impacts of alternative and future potential levels of oil and gas development and extraction on an ecosystem scale as the ecosystem is defined by the "Limits of Acceptable Change--Bob Marshall Wilderness Complex" adopted by the Montana Department of Fish, Wildlife & Parks in December 1991. The analysis shall consider all relevant information, which may include, but is not limited to, existing environmental reviews and management plans. Public involvement in the environmental review process shall be actively solicited by the preparer of the environmental review document and shall include, at minimum, adequately noticed public meetings in at least three communities including Great Falls and Helena.

3) The proposed surface activity shall adhere to the "Interagency Rocky Mountain Front, Wildlife Monitoring/Evaluation Program, Management Guidelines for Selected Species" adopted by the Montana Department of Fish, Wildlife & Parks in September 1987, or any successor guidelines thereto.

4) The Board may refuse to approve any proposed surface operations if it determines that they do not constitute the best use of trust resources or are not in the best interest of the State of Montana.

F-3. This lease is located within or adjacent to the Sleeping Giant and Sheep Creek Wilderness Study Area, the Beartooth State Wildlife Management Area, and/or the Gates of the Mountains Wilderness and includes areas that are environmentally sensitive. Therefore, except as otherwise provided below, the lessee shall not conduct any surface operations on the lease premises. If the lessee determines that surface operation on the lease premises may be required, the lessee shall submit a proposed Operating Plan or Amendment to an existing Operating Plan to the State Board of Land Commissioners describing in detail the proposed operations. No surface activities shall occur on the lease premises unless and until the Operating Plan or Amendment is approved by the Board. In determining whether to approve the proposed Operating Plan or Amendment, the following provisions shall apply:

1) If the lessee proposes an activity that does not entail any significant surface disturbance, the Board may approve the same after completion of the appropriate environmental review in accordance with the Montana Environmental Policy Act (MEPA) and an opportunity for public comment on the proposed activity has been provided.

2) Before the Board approves any proposed activity on the lease premises that entails a significant surface disturbance, an environmental impact statement (EIS) shall be completed in accordance with MEPA. The EIS shall analyze the potential impacts of alternative and future potential levels of oil and gas development and extraction on an ecosystem scale. The analysis shall consider all relevant information, which may include, but is not

limited to, existing environmental reviews and management plans. Public involvement in the environmental review process shall be actively solicited by the preparer of the environmental review document and shall include, at minimum, adequately noticed public meetings in at least two communities including Great Falls and Helena.

3) The Board may refuse to approve any proposed surface operations if it determines that they do not constitute the best use of trust resources or are not in the best interest of the State of Montana.

Navigable Rivers

- G. This tract contains navigable river beds. No surface occupancy is allowed within the bed of the navigable river, abandoned channels, or on islands and accretions. In addition, upon completion of a successful well, where river title is disputed, the lessee will file an interpleader action under Rule 22, M.R.Civ.P. in the Montana District Court in which the leased lands are located for all acreage within the lease in which the title is disputed. The lessee shall name all potential royalty claimants as defendants.

Surface not State Owned

- H. Lessee must contact the owner of the surface in writing at least 30 days prior to any surface activity. A copy of the correspondence shall be sent to TLMD.

No Surface Occupancy

- I. No surface occupancy shall be allowed on this tract unless otherwise approved in writing by the Director of DNRC.
- J. No surface occupancy shall be allowed on any portion of this tract which is indicated as right-of-way on the official highway plans on file at the Department of Transportation in Helena, Montana without prior written approval from TLMD.

Existing Production Restrictions

- K. Lessee will need to make settlement for the value of the equipment with previous lessee. A copy of this settlement will be sent to the TLMD for their records.

Existing Facilities

- L-1. This tract has (an) existing well(s) and related facilities. The lessee has 45 days from the effective date of this lease to determine whether or not to assume responsibility from the former lessee for the well and any existing facilities. The lessee may not enter the well until a change of operator has been filed with, and approved by, the Board of Oil and Gas Conservation.
- L-2. This tract has an existing well and related facilities. The lessee has 45 days from the effective date of this lease to determine whether or not to assume responsibility from the former lessee for the well and any existing facilities. The lessee may not enter the well until a change of operator has been filed with, and approved by, the Board of Oil and Gas Conservation. This well must be returned to commercial production or plugged and the wellsite reclaimed within 18 months from the effective date of this lease.

Drainage Occurring

- M. It is the opinion of the TLMD that drainage is occurring on the land described in this lease and that if a well is not drilled within two years after this lease is issued the department will consider cancellation of the lease for failure to drill an offset well.

Forested Tracts - Timber

- N. Prior to the cutting or removal of timber on these tracts for exploration or development related activities, the lessee shall acquire the approval of the appropriate TLMD area office.

Wildlife Restrictions

- O. To protect wildlife during periods important to their survival, surface occupancy or other activity shall be restricted from March 15 through July 15 of each year unless otherwise authorized in writing by the TLMD.
- P-1. Potential wildlife conflicts have been identified for this tract. The TLMD will contact the Montana Department of Fish, Wildlife, and Parks office in the area for advice on alleviating any possible conflicts caused by lessee's proposed activities. Additional mitigation measures may be required.
- P-2. Potential wildlife conflicts have been identified for this tract. The TLMD will contact the U.S. Fish and Wildlife Service office in the area for advice on alleviating any possible conflicts caused by lessee's proposed activities. Additional mitigation measures may be required.
- Q. Wildlife species of concern have been identified on or near this tract. A survey in areas of proposed activity may be required prior to disturbance. Identified species will be avoided, unless otherwise authorized by the TLMD. Additional mitigation measures may also be required.

Miscellaneous Restrictions

- R. Any activity within 1/8 mile of the river, flood plain, or lake/reservoir on or adjacent to this tract must be approved in writing by the TLMD prior to commencement. No surface occupancy is allowed within the bed of the river, abandoned channels, the bed of the lake/reservoir, or on islands and accretions associated with the river or lake/reservoir.
- S. No activity shall be allowed within 100 feet of any perennial or seasonal stream, pond, lake, prairie pothole, wetland, spring, reservoir, well, aqueduct, irrigation ditch, canal, or related facilities without prior approval of the TLMD.
- T. Due to unstable soil conditions on this tract and/or topography that is rough and/or steep, surface use may be restricted or denied. Seismic activity may be restricted to poltershots.
- U-1. Due to existing surface uses (such as center pivots, wheel lines, etc.) development on this tract may be restricted.
- U-2. Due to existing surface uses and the potential for future surface development, utilization of the surface for mineral exploration and development may be restricted or denied. Review of operating plans for exploration and/or development will include consideration of both existing and potential surface development to minimize conflicts and ensure that both mineral and surface uses are consistent with one another and in the best long-term interest of the school trust.

- V. Plant species of concern have been identified on or near this tract. A vegetation survey in areas of proposed activity will be required prior to disturbance. Identified rare plant species will be avoided, unless otherwise authorized by the TLMD.
- W. A critical weed problem exists on this tract. Additional mitigation measures will be required to prevent further spread of noxious weeds. The department may require such measures as power washing of vehicles, car pooling, timing restrictions for seismic, etc. to facilitate this prevention.
- X. This tract contains biological weed-control sites which must be avoided unless otherwise authorized by TLMD.
- Y. No surface occupancy of the cemetery site is permitted without written approval of TLMD.
- Z. Wooded areas on this tract will be avoided unless otherwise authorized by the TLMD.
- AA. No surface occupancy of the school area and/or related facilities is permitted without written approval of TLMD.
- BB. Lease contains a well certified for domestic use by the Board of Oil and Gas Commission (BOGC). Therefore, BOGC does not consider this well to be subject to well spacing regulations.
- CC. This lease is issued subject to a prior existing State of Montana bentonite lease. Lessee's right to search, develop, and produce oil and gas may be restricted by such prior existing lease rights.
- DD. A gas storage unit exists on this tract. TLMD will solicit comments from gas storage operator (if other than lessee) if drilling through the gas storage reservoir is proposed, and TLMD may include reasonable protective stipulations in approving Lessee's operating plan. As part of its regulatory review, the BOGC may also require protective measures to ensure no impact to the gas storage reservoir.
- EE. No surface occupancy of radio tower sites or related facilities is permitted without written approval of TLMD.
- FF. No surface occupancy shall be allowed on the 16.319 acres of this tract covered by a wetlands easement issued to Montana Department of Transportation.
- GG. Occupation of 6.33 acres in the E½SE¼ may be restricted or denied pursuant to the right-of-way deed granted to the U.S. Air Force for a restricted area.

APPENDIX C: Agency Comments Received Before Deadline

Montana Department
of
Fish, Wildlife & Parks



247-2940

OFFICE MEMORANDUM

TO: Teresa Kinley

DATE: 4/24/96

FROM: Jay Newell 323-1118 (home)

SUBJECT: Oil and Gas

TWP 9N RNG 26E section 16.

This tract of land receives use by mule deer and antelope on a year-around basis. There are two known sharp-tailed grouse display grounds in the area, one in section 18 and one in section (8) and a sage grouse display ground on private land in section (26) all in TWP 9N RNG 26E. Because of the type of habitat (sagebrush/grassland) available in this tract it is likely that the area is used by sage and sharp-tailed grouse for nesting. My major concern is that exploration and development in this area could impact the grouse during the breeding and nesting periods. I recommend that there be no surface occupancy from March 15 - June 15 in the tract and that there be no surface occupancy within 1/4 mile of active display grounds. Other areas of concern are that: 1. The BLM lands in TWP 9N and RNG 26E were also recently let out for bid and a large scale oil development in this area may have serious impacts to wildlife in this area; and 2. Section 16 is presently included in our Gage Dome Walk-in Area and receives heavy use by hunters during the antelope season. Any development in the area should consider the safety of the developers and human activity should be limited to periods excluding the antelope season.

TWP 9N RNG 25E section 16.

The area is used on a year-around basis by mule deer and antelope. This area is probably used during the spring when deer and antelope are having fawns. I would recommend no surface occupancy between May 15 and June 15.

TWP 9N RNG 25E section 16.

All of these sections receive use by antelope and mule deer. Both antelope and mule deer use sagebrush to hide fawns in during the spring of the year. Although there are no known grouse display grounds in these sections it is likely that the sage brush areas in are used by sage grouse for nesting and possibly wintering. Any development in any of these sections should avoid sagebrush and

RECEIVED
APR 25 1996
DNRC

0-2 miles away
1-3 miles away

Survey
Stip
added.

② Asked Scott Frick - he didn't exist

① Talked w/ Don Kendall about Gage Dome Area - He doesn't know of a management agreement between DNRC & FWP on this

Abundant + similar habitat in area - No impact

Deer and antelope are not T&E species

3 miles away

On 12/3/2002 sale

App # 5008

ON 12/3/2002 sale



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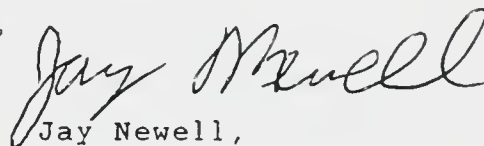
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riparian areas.

The entire area is part of a sagebrush grassland habitat and it is important to sage grouse, mule deer and antelope on a year-around basis. In addition, the many reservoirs in this area attract large numbers of waterfowl which use the surrounding upland cover for nesting. Exploration and development has the potential for polluting surface water and caution should be taken to protect the water quality of the stock ponds. Exploration and development in this area could impact sage grouse, during the breeding, nesting and wintering periods and waterfowl during the nesting season. I would recommend that there be no surface occupancy from March 15 - June 15 in tracts surrounding known display grounds and within 1/2 mile of the existing ponds. If development takes place, stands of sagebrush which are going to provide the primary cover for nesting upland game birds and waterfowl, should be avoided.

Tract #5063 T9N R25E Sec 16 does not contain a reservoir.
Stream Buffer strip ~~will be~~ added to tract (100') lease
The wildlife ^{will be} Survey strip added to tracts ^{lease} for grouse.


Jay Newell,
Biologist, FWP

DEPARTMENT OF
NATURAL RESOURCES AND CONSERVATION



MARC RACICOT
GOVERNOR

SOUTHERN LAND OFFICE
AIRPORT INDUSTRIAL PARK

STATE OF MONTANA

(406) 259-3264

BILLINGS, MONTANA 59105-1952

TO: Barb Hamburg
FROM: Don Kendall *DAK*
SUBJECT: SLO Comments on September O & G Sale
DATE: May 17, 1996

RECEIVED
MAY 24 1996
DNBC

1. Musselshell Co. Tract 105 SE $\frac{1}{4}$, Sec. 34, T9N, R24E.

Grazing Lease #6646

- No CRP
- Improvements are 1 mile fence and cattle guard.
- This tract has an active oil field. There should be no significant wildlife, cultural, or other environmental concerns.

- 2. Musselshell Co. Tract 106 All, Sec. 16, T9N, R25E.
Tract on 12/3/2002 Sale

- No CRP.
- Improvements are fences and water development, including pipelines.
- Wildlife use includes pronghorn antelope, mule deer, possibly sharptail and/or sage grouse. *Survey for wildlife species of concern stip added to this tract.*
- Cultural - contact Patrick Rennie - sites were found during an easement survey. *Cultural resources stipulation is added to all tracts.*

3. Musselshell Co. Tract 107 All, Sec. 16, T9N, R26E.

Grazing Lease #3462

- No CRP.
- Improvements include 3 miles fence, power line, water development, including pipeline.
- Wildlife use includes pronghorn antelope and sage grouse. *Survey for wildlife species of concern stip added to this tract.*
- A wet drainage crosses the tract, and should be avoided. *Stream, wetlands, etc. buffer stip added to this tract*

3/7/95 Lease Sub comments Form

Gary Brandenburg

TRACT TWN RNG SEC	WILDLIFE	CULTURAL	WATER	IMPROVEMENTS	AGRICULTURE	SOIL STABILITY PROBLEMS	TIMBER	Per Dave Munsel 10/28/2002 This appears to be part of the grazing land. OTHER grazing land. Habitat quality State of no special L # 878B protection For it reg.
9N 27E 36	Deer, Birds, PH, Fish The river buffer stipulation will be The avoid wooded areas stipulation will be	Note found stipulation and River	P. Musselshell and River	Fence	36.6 ac Hay - Hay - Hay -	Musselshell River Riparian	Some Scattered P-pine Cattanovals	State of no special L # 878B protection For it reg.
9N 28E 3	Deer, Birds PH	Probably good Arch. Pot. on Rims in 5 1/2	P-Res? & I-always	Fence, Res	None	Rims in 5 1/2	Scattered P-pine & Juniper 5 1/2	4120 K. 2 ac private Wildlife preserve State L # 89104
9N 28E 16	Deer, PH, Birds	None Fair	1 developed P- Spring & 2 sm P-Res	Fence, Spring, Res	—	Some fragile tree covered open T/out	Scattered P-pine Possibly Arch.	State L # 630
9N 28E 36	Deer, Birds PH & maybe Elk	Fair Arch Potential	P-Well! Irrigation Canal	Fence, Well	24 ac Irrig- ated Hay	So. of Rd Rims - Roc fragile Soils	Scattered P-pine	State L # 7867 9694
9N 29E 36	Deer, PH, Birds, Elk	"	None	Fence	—	Shallow, Fragile Soils T/out w/ Rims - Roc	"	State L # 1078
9N 30E 16	Deer, PH, Birds	?	P-Carpenter Ck	?	?	?	?	Deeded
9N 30E 22	Deer, Birds, PH	Good Arch. Pot.	P-Carpenter Ck NE of road	Road, Powerline	—	Some Roc's + Shallow Soils	Scrub P-pine	State L # 7868
9N 30E 30	PH, Deer, Birds, Elk	Fair Arch. Pot.	None	—	—	20 acres of Roc, Steep Slopes	Some dense P-pine - small pockets	State L # 1295

3/7/95 Lease sale comments from Gary Brackenbury

TRACT TOWNSHIP SEC	WILDLIFE	CULTURAL	WATER	IMPROVEMENTS	AGRICULTURE	SOIL STABILITY PROBLEMS	TIMBER	OTHER
QW 25E 12	PH, Birds, Deer	None found	Small P-ras in NE 1/4	Fence + Res	—	—	Scattered P-pine along So. boundary	State L# 3461
QW 25E 36	PH, Deer, Birds The will be utilized	" rough-steep topography stipulation and the stream buffer stipulation on this tract's lease.	P-Willow Crk	Fence, Corral, Stock shed etc	—	Rim + ROC in NW	Scattered Scrub and the avoid wooded areas stip.	State L# 6794
QW 26E 2	PH	None	P- No. Willow Crk	Fence, Powerline	—	—	—	State L# 6094
QW 26E 26	PH, Deer, Birds	Possibly Arch Pot.	I - drainage	Fence	—	Some Fragile Soils along drainage	—	State L# 8961
QW 26E 36	PH, Deer Birds	—	I - Drainage + Res in SE 1/4	Fence Res	—	—	—	State L# 8860
QW 27E 6	PH	—	—	Boundary line	—	—	—	State L# 8860
QW 27E 7	PH	—	I - ab. Frk Willow Crk Trib	—	—	—	—	State L# 8860
QW 27E 16	Deer, PH	Fair Arch. Pot.	Well, I - drainage	Wall, windmill, Tank, Fence	—	ROC + Rims Scattered T/out	Scattered P-pine	State L# 7866 6645

OIL AND GAS LEASES - MUSSELSHELL COUNTY

3/1995 Review

TRACT TWN RNG SEC	WILDLIFE	CULTURAL	WATER	IMPROVEMENTS	AGRICULTURE	SOIL STABILITY PROBLEMS	TIMBER	OTHER
9N 30E 36	Deer, Birds, PH, Elk	Fair Arch Plot	None	—	—	Rolling to Rough terrain w/ Roc - Rims	Scattered P-pine	State L# 7617
10N 22E 36	PH, Deer	—	—	— Road	—	—	—	State L# 3175 old oil & Gas activity
10N 23E 16	PH, Deer, Birds	Fair Arch. Plot.	P-W Frk Pole Crk + Res m. NW ⁴	Fence + Res	—	—	—	State L# 3459
10N 23E 36	PH	—	old dry lake - bed w. NW ⁴	Fence	—	—	—	State L# 7864
10N 24E 16	PH	—	E Frk Willow Crk - I-P Res - P	Fence Res	—	—	—	State L# 7869 old Gravel Pit
10N 24E 24	PH	—	I - drainage P-Well SW ¹ SW ⁴	Fence + Well	—	—	—	State L# 6058
10N 24E 30	PH	—	I - drainage	—	—	—	—	State L# 633
10N 24E 36	PH, Birds The stream, well, etc. but for	—	P-Well	Well, Stock out buildings. Correlate	383 ac small grains	—	—	State L# 7769

Stipulation will be utilized on this tract's lease.

P. 2 is blank
& not included.

Kinley, Teresa

From: Brandenburg, Gary
Sent: Thursday, July 26, 2001 3:13 PM
To: Kinley, Teresa
Subject: RE: September 5, 2001 MT Oil and Gas Lease Sale

Teresa,

Thanks for the reminder. I'm sorry for the oversight.

Regarding the Stillwater county tracts:

→ * T2N R20E Sec. 16...According to my records, State ownership is only the N1/2. My main concern here is the stockwater well in the NW1/4. Other than this it is basically dryland pasture producing a good stand of Pubescent wheatgrass. Upland game birds frequent this tract due to its good cover. Try to avoid this area in spring during the nesting period. *The stream, well, etc. buffer stipulation will be utilized on this tract's lease. The wildlife survey stipulation will be utilized on this tract's lease due to upland game birds.*

* T1N R22E Sec. 16...State ownership is the SW1/4 only according to my records. This is basically all cropland (small grains) except in the extreme SW1/4 which is small 15 acre wetland. This area should be avoided as should any producing cropland. *The stream, wetland, etc. buffer stipulation will be utilized on this tract's lease.*

*** The lease covers surface owners and surface leasees rights & provisions in Section 28.*
Regarding the Big Horn county tracts: *The contact surface owner stipulation will also be utilized on this tract's lease, (App# 5002)*

T1S R30E Sec. 35...This tract comprises 395 acres of small-grain cropland, 182 acres of native rangeland and 63 acres of CRP land in the NE1/4. This CRP is the main concern. Before any exploration activity takes place the Big Horn county FSA should probably be consulted. The cropland should be avoided if it has been planted. *** There are no cultural wetland or wildlife concerns that I'm aware of. The CRP stipulation will be utilized on this tract's lease.*

According to my records the other 3 tracts listed under Big Horn county are not Trust lands. *(surface) The contact surface owner stip. will be utilized on this tract's lease.*
The state owns the minerals, i.e. oil & gas as shown on tract list.

Gary Brandenburg

-----Original Message-----

From: Kinley, Teresa
Sent: Thursday, June 28, 2001 4:01 PM
To: Brandenburg, Gary
Subject: September 5, 2001 MT Oil and Gas Lease Sale
Importance: High

I am sending the tract list and my request for comments letter as attached files in Word 97 format. The tract list is a Word file ending in the suffix ".doc" and is in plain text, Courier New font, 8-point size. I have also attached an additional file for informational purposes

As noted in the attached letter, the deadline for comments is July 25, 2001. You do not need to include tracts outside your area in the comments that you return. Comments can be returned by postal mail or electronic mail, however, electronic mail is preferred.

Please contact me at (406) 444-2074 if you have any questions. Thank you for your assistance.

Teresa Kinley

7/26/01

**Montana Department
of
Fish, Wildlife & Parks**



To: Teresa Kinley, Hydrogeologist
Trust Land Management Division
DNRC
From: Graham Taylor, MFWP R4
Subject: June 4, 1996 Oil and Gas Lease Sale

RECEIVED

APR 29 1996

DNRC

Attached are comments pertaining to the June 4, 1996 Oil and Gas Sale re: wildlife values on some of the tracts proposed to be offered. They come in the form of a memo from Quentin Kujala to me. This memo follows a ZIP note to you of 24 April on the same subject.



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TO: Graham Taylor
FROM: Quentin Kujala
SUBJECT: State lands wildlife use

April 22, 1996

The following are brief comments pertaining to wildlife species and time periods on habitats owned by the State of Montana in parts of hunting districts 422 and 423. Wildlife use on these habitats include at least these primary species and time periods. Of particular importance are those areas receiving winter use.

- 5068 Roberts Mountain: spring, summer and fall elk and mule deer use--HD 423
- 5069 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- 5070 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- [5071] Roberts Mountain: spring, summer and fall elk use, year-round mule deer use--HD 423
- 5072 Roberts Mountain: spring, summer and fall elk and mule deer use--HD 423
- 5073 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- 5074 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- [5079] Johnson Mountain and Blowout Mountain: winter and spring elk, spring, summer and fall mule deer use--HD 422
- 5080 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- 5081 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- 5082 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- 5083 Rogers Pass: spring, summer and fall elk and mule deer use--HD 423
- 12/3/2002
5018 [5084] Krone Ranch: year-round and winter mule deer--HD 422
- 5019 [5085] Johnson Mountain and Comb Rock: year-round whitetail and mule deer, winter elk--HD 422
- 5020 [5086] Johnson Mountain: winter and spring elk and mule deer--HD 422
- 5021 [5087] Johnson Mountain: winter and spring elk and mule deer--HD 423
- 5022 [5088] Johnson Mountain: winter and spring elk and mule deer--HD 422
- 5023 [5089] Krone Ranch and Bean Lake: year-round mule deer and antelope--HD 422
- 5024 [5090] Bean Lake: year-round mule deer and antelope--HD 422
- 5025 [5091] Krone Ranch: year-round mule deer--HD 422
- 5026 [5092] Krone Ranch and Bean Lake: winter elk, year-round mule deer--HD 422
- 5027 [5093] Krone Ranch: year-round mule deer--HD 422

These comments were received late (April 29, 1996). However, currently for the Dec. 3, 2002 Rocky Mountain Front The sensitive areas stipulation will be added to all of these tracts in oil and gas lease sale, Lewis and Clark County, noted with handwritten application numbers, except for 5021. The sensitive areas stipulation will be utilized on the lease for app. # 5021 since it is located east of Highway 209, but it is still within the MT-NHP grizzly

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



TRUST LAND MANAGEMENT DIVISION

JUDY H. MARTZ, GOVERNOR

1625 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-2074
TELEFAX NUMBER (406) 444-2684

PO BOX 201601
HELENA, MONTANA 59620-1601

September 27, 2002

MEMORANDUM

TO: Patrick Rennie, Archaeologist, Ag. & Grazing Management Bureau

FROM: Teresa Kinley, Hydrologist/Geologist, Minerals Management Bureau

Teresa Kinley

RE: December 3, 2002 State of Montana Oil and Gas Lease Sale

Please review the attached list of tracts for the upcoming oil and gas lease sale for cultural areas of concern. Prior to leasing, the Department complete an environmental assessment of the properties. One of the purposes of this assessment is to mitigate potential cultural concerns that could be affected by oil and gas exploration by adding stipulations to the leases. As usual the standard cultural stipulation will be placed on all tracts.

Let me know if there are any concerns which may require other stipulations on the leases. If you have any questions, please ask me or Monte Mason. Please return your comments by October 23, 2002.

Thank you for your help.

Attachment

Teresa:

Looks OK. Just add standard archaeological stipulation to lease agreements.

Patrick

The cultural resources/paleontological resources stipulation will be applied to leases of tracts on the December 3, 2002 MT Oil and Gas Lease Sale.

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

TRUST LAND MANAGEMENT DIVISION
NORTHEASTERN LAND OFFICE



(406) 228-2430 Telephone
(406) 228-2439 FAX

STATE OF MONTANA

GLASGOW UNIT OFFICE
PO BOX 1007
224 6 STREET SOUTH
GLASGOW, MONTANA 59230-1007

October 3, 2002

MEMORANDUM

TO: Theresa Kinley, Hydrologist/Geologist, Minerals Management Bureau

FR: Randy Dirkson, Land Use Specialist, Glasgow Unit Office

RE: December 3, 2002 State of Montana Oil and Gas Lease Sale

Attached are the comments for those tracts of State land that will be listed for the December 3, 2002, Montana Oil and Gas lease Sale. The comments are for those tracts of State land administered by the Glasgow Unit Office. Should you have any questions, please contact me at the Glasgow Unit Office.

C: Clive Rooney, Area Manager, Northeastern Land Office

STATE OF MONTANA
OIL & GAS LEASE SALE - DECEMBER 3, 2002

PRELIMINARY LEASE SALE LIST

APP#	MAP LOCATION	TWP	RGE	SEC	DESCRIPTION	ACRES
LESSOR: DEPT OF NATURAL RESOURCES & CONSERVATION						
BLAINE 1,2,3						
5035		30.N	19.E	14	W2SE4	80.00
5036		30.N	20.E	18	LOTS 3, 4, NE4, E2SW4	325.41 *
5037		30.N	20.E	19	LOT 1, SE4, E2NW4	282.66
5038		30.N	20.E	29	E2	320.00
5001		32.N	17.E	1	LOTS 3, 4	59.90
5002		32.N	17.E	2	LOTS 1, 2, 3	91.57
5015		34.N	19.E	35	NW4NW4	40.00
CARTER 4						
5039		7.S	57.E	36	ALL	640.00
5040		8.S	57.E	16	ALL	640.00
5041		8.S	58.E	36	ALL	640.00
5042		8.S	59.E	16	ALL	640.00
5043		8.S	59.E	36	LOTS 1 THRU 7, W2NE4, NW4, N2SW4, NW4SE4	612.46
5044		9.S	58.E	16	ALL	640.00
5045		9.S	58.E	36	LOTS 1 THRU 18, NW4, N2SW4	877.60
5046		9.S	59.E	16	ALL	640.00
5047		9.S	59.E	36	LOTS 1, 2, 3, 4, N2, N2S2	664.40 *
DANIELS 5						
5007		34.N	45.E	15	NW4	160.00
This tract is a combination of native rangeland and crested wheatgrass pasture land for livestock grazing. The native rangeland holds some habitat for sharptail grouse and Hungarian partridge. There are no surface water resources on this tract.						
<i>The wildlife survey stipulation will be utilized on this tract for sharptail grouse.</i>						
FALLON 6						
5003		5.N	59.E	36	ALL	640.00
GALLATIN 7						
5017		1.S	7.E	16	LOTS 1 THRU 8, W2	666.16 *
GLACIER 8						
5004		34.N	6.W	36	NW4, N2SW4, SW4SW4	280.00

APP#	MAP LOCATION	TWP	RGE	SEC	DESCRIPTION	ACRES
HILL	2					
5014		33.N	17.E	21	S2SE4	80.00
LEWIS & CLARK 9,10,11						
5012		16.N	5.W	32	N2SW4, SE4SW4	120.00
5018		17.N	5.W	6	LOTS 1 THRU 7, S2NE4, SE4NW4, E2SW4, SE4	647.63
5019		17.N	5.W	16	ALL	640.00
5020		17.N	5.W	18	LOTS 3, 4, E2SW4, SE4	319.45
5021		17.N	5.W	32	NE4, NE4NW4	200.00
5022		17.N	6.W	12	E2	320.00
5023		18.N	6.W	16	ALL	640.00
5024		18.N	6.W	20	SW4SW4	40.00
5025		18.N	6.W	26	ALL	640.00
5026		18.N	6.W	28	E2NE4, E2SW4, SE4, DEARBORN RIVERBED	331.00
5027		18.N	6.W	36	ALL	640.00
5028		20.N	7.W	19	NW4NE4, S2NE4, E2NW4, NE4SW4, SE4	400.00
5029		20.N	7.W	33	NE4NE4, S2S2	200.00
MCCONE 12						
5013		27.N	50.E	36	ALL	640.00
This tract is native rangeland for livestock grazing. Tract has the Redwater River a perennial stream located on the NW4. This tract has habitat resources for pheasants, sharptail grouse and Hungarian partridge. The Thin Hilly range site has habitat for Mule and Whitetail deer and Antelope. <i>The 1/8 th-mile river buffer stipulation, the wildlife survey stipulation (For grouse) and the unstable soils stipulation will be utilized on this tract's lease.</i>						
MUSSELSHELL 13						
5008		9.N	25.E	16	ALL	640.00
5009		9.N	25.E	36	ALL	640.00
5010		9.N	27.E	36	ALL, LESS PATENTED RR R/W	613.50
5011		10.N	24.E	36	ALL	640.00
PONDERA 14						
5049		28.N	1.W	36	ALL	640.00
RICHLAND 15,16						
5034		24.N	59.E	36	NW4, BELOW THE BASE OF THE MISSION CANYON FORMATION	160.00
5033		24.N	59.E	36	N2NE4, SW4NE4	120.00
5006		26.N	53.E	36	ALL	640.00

APP#	MAP LOCATION	TWP	RGE	SEC	DESCRIPTION	ACRES
ROOSEVELT	17					
5005		28.N	58.E	16	NW4 *	160.00
This tract contains dryland agriculture and native rangeland for livestock grazing. Tract has habitat resources for sharptail grouse and Hungarian partridge.						
<i>The wildlife survey stipulation will be utilized on this tract's lease.</i>						
ROSEBUD	18					
5050		10.N	34.E	16	ALL	640.00
5051		10.N	34.E	32	ALL	640.00
5052		10.N	34.E	36	ALL	640.00
5053		10.N	35.E	16	ALL	640.00
5054		10.N	35.E	32	S2, W2NE4, NW4	560.00
5055		10.N	35.E	36	ALL	640.00
5056		10.N	36.E	6	LOTS 1 THRU 5, S2NE4, SE4NW4	311.60
5057		10.N	36.E	9	ALL	640.00
5058		10.N	36.E	16	ALL	640.00
5059		10.N	36.E	36	ALL	640.00
5060		11.N	34.E	4	S2	320.00
5061		11.N	34.E	16	ALL	640.00
5062		11.N	34.E	18	E2E2, SW4NE4, SE4NW4, NE4SW4, NW4SE4	320.00
5063		11.N	34.E	31	LOTS 1, 2, 3, 4, E2, E2W2	629.08
5064		11.N	34.E	36	ALL	640.00
5065		11.N	35.E	16	ALL	640.00
5066		11.N	35.E	36	ALL	640.00
5067		11.N	36.E	16	ALL	640.00
5068		11.N	36.E	36	ALL *	640.00
5069		12.N	35.E	16	ALL	640.00
5070		12.N	35.E	36	ALL	640.00
STILLWATER	19					
5048		2.N	20.E	16	ALL *	640.00
TOOLE	20,21					
5030		31.N	1.E	26	NE4	160.00
5031		31.N	1.E	36	ALL *	640.00
5032		35.N	3.E	36	ALL	640.00

LESSOR: DEPT OF TRANSPORTATION

PETROLEUM 22

5016	12.N	25.E	33	HIGHWAY TRACT IN SE4SW4, SE4	74.17
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Kinley, Teresa

From: Wentland, Harold
Sent: Thursday, October 03, 2002 12:52 PM
To: Kinley, Teresa
Cc: Satterfield, Jim; Ensign, John; Taylor, Graham
Subject: RE: MT Oil and Gas Lease Sale, December 3, 2002

Dear Ms Kinley:

My comments on behalf of Montana Fish, Wildlife & Parks Region 6 pertain to those sites in your October 3, 2002 notice located in Blaine (7), Daniels (1), Hill (1), McCone (1), Richland (3) and Roosevelt (1) Counties.

I recommend no surface occupancy or other activity be allowed on any of the sites during the March 1 through July 1 period each year. This will help protect breeding and nesting upland game birds and waterfowl, and fawning and early rearing big game animals. If the activity is to take place exclusively on cropland that is currently under cultivation (not in CRP), the recommendations do not apply.

Thank you for this opportunity to comment.

Sincerely,

Harold J. Wentland
 Wildlife Program Manager, Region 6

-----Original Message-----

From: Kinley, Teresa
Sent: Saturday, September 28, 2002 5:19 PM
To: Satterfield, Jim; Wentland, Harold
Subject: MT Oil and Gas Lease Sale, December 3, 2002
Importance: High

There are no tract specific comments noted above. However, based on comments from MT-DNR's Field staff and MT Natural Heritage Program information and review of topographic maps and BLM maps of areas in FWP Region 6 on the December 3, 2002 Montana Oil and Gas Lease Sale, stipulations have been recommended for utilization on the leases of these tracts.

This is the first time that I have sent out the tract list since my computer has been upgraded. I am sending the tract list and my request for comments letter as attached files. I am also attaching the general map with tract key for your information. These are in Word 2002 format. Please let me know if you are unable to open them. If this is the case I will see if I can adjust the format and resend them.

As noted in the attached letter, the deadline for comments is October 23, 2002. You do not need to include tracts outside your area in the comments that you return. Comments can be returned by mail or electronic mail, but electronic files help me to compile a summary later. Please let me know if you have questions. Thanks for your assistance.

Teresa



P.O. Box 201800 • 1515 East Sixth Avenue • Helena, MT 59620-1800 • fax 406.444.0581 • tel 406.444.3009 • <http://nris.state.mt.us>

October 3, 2002

Teresa Kinley
MT DNRC, Trust Land Management Division
1625 Eleventh Ave.
PO Box 201601
Helena, Montana 59620-1601

Dear Teresa,

I am writing in response to your request for information on species of concern in the vicinity of the proposed Oil & Gas Lease Sale Tracts. We checked our databases for information in these areas. We have enclosed the species of concern reports, organized by township, range and section, for each area and 1 map for each area. The results are summarized as follows:

<u>COUNTY</u>	<u>APP#</u>	<u>LOCATION</u>	<u>NUMBER OF OCCURRENCES FOUND</u>
Blaine	5035-5038	T30N, R19-20E	0
Blaine	5001-5002	T30N, R17E, Sections 1 & 2	0
Blaine	5015	T34N, R19E, Section 35	1
Carter	5039-5047	T07-08S, R57E ; T08-09S, R58-59E	6
Daniels	5007	T34N, R45E, Section 15	0
Fallon	5003	T05N, R59E, Section 36	0
Gallatin	5017	T01S, R07E, Section 16	0
Glacier	5004	T34N, R06W, Section 36	0
Hill	5014	T33N, R17E, Section 21	0
Lewis & Clark	5012; 5018-5027	T16-17N, R05W; T17-18N, R06W	8
Lewis & Clark	5028-5029	T20N, R07W	2
McCone	5013	T27N, R50E, Section 36	0
Musselshell	5008-5009	T09N, R25E	1
Musselshell	5010	T09N, R27E, Section 36	1
Musselshell	5011	T10N, R24E, Section 36	1

<u>COUNTY</u>	<u>APP#</u>	<u>LOCATION</u>	<u>NUMBER OF OCCURRENCES FOUND</u>
Pondera	5049	T28N, R01W, Section 36	0
Richland	5033-5034	T24N, R59E, Section 36	1
Richland	5006	T26N, R53E, Section 36	0
Roosevelt	5005	T28N, R58E, Section 16	0
Rosebud	5050-5070	T10-11N, R34-36E; T12N, R35E	0
Stillwater	5048	T02N, R20E, Section 16	1
Toole	5030-5031	T31N, R01E, Sections 26 & 36	0
Toole	5032	T35N, R03E, Section 36	0
Petroleum	5016	T12N, R25E, Section 33	0

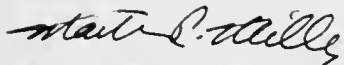
Please keep in mind the following when using and interpreting the enclosed information and maps:

- (1) These materials are the result of a search of our database for species of concern that occur in an area defined by the requested township and range (and section, if available) with an additional one-mile buffer surrounding the requested area. This is done to provide you with a more inclusive set of records and to capture records that may be immediately adjacent to the requested area.
- (2) In the report, the term "precision" reflects the quality of the location information. S (second) precision is used when the location of the collection/observation is known within a three-second radius (approximately 10 acres); M (minute) precision is used when the location of the collection /observation is known within a one minute radius (approximately 1.5 miles); and G (general) precision is used when the location of the record/collection is known within a 5 mile radius or to a place name only. Some species locations outside the selection area have imprecisely-known locations and may actually occur within the selection area.
- (3) Location information for animals represents occupied breeding habitat; location information for plants represents known occurrences of plant species, and, like animals, has an implied range that may not be fully conveyed by the mapped data. Most locations are depicted as points, but some, especially those that cover large area, are depicted as polygons on the map. The approximate boundaries of these polygons are color-coded to help differentiate vertebrate classes and plants.
- (4) This report may include sensitive data, and is not intended for general distribution, publication or for use outside of your agency. In particular, public release of specific location information may jeopardize the welfare of threatened, endangered, or sensitive species or communities.
- (5) The accompanying map(s) display management status, which may differ from ownership. Also, this report may include data from privately owned lands, and approval by the landowner is advisable if specific location information is considered for distribution. Features shown on this map do not imply public access to any lands.
- (6) Additional biological data for the search area(s) may be available from other sources. We suggest you contact the U.S. Fish and Wildlife Service for any additional information on threatened and endangered species (406-449-5225). Also, significant gaps exist in the Heritage Program's fisheries data, and we suggest you contact the Montana Rivers Information System for information related to your area of interest (406-444-3345).
- (7) The results of a data search by the Montana Natural Heritage Program reflect the current status of our data collection efforts. These results are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys, which may be required for environmental assessments.

Electronic access to the Montana Natural Heritage Program is available at URL
<http://nris.state.mt.us/mtnhp/>

I hope the enclosed information is helpful to you. Please feel free to contact me at (406)-444-3290 or via my e-mail address, below, should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin P. Miller". The signature is fluid and cursive, with the first name "Martin" and last name "Miller" clearly distinguishable.

Martin P. Miller, Data Assistant
Montana Natural Heritage Program
(martinm@state.mt.us)

Montana Natural Heritage Program

P.O. Box 201800
1515 East Sixth Avenue
Helena, Montana 59620-1800
(406) 444-3009
<http://nris.state.mt.us>

Explanation of Element Occurrence Reports

Since 1985, the Montana Natural Heritage Program (MTNHP) has been compiling and maintaining an inventory of the elements of biological diversity in Montana. This inventory includes plant species, animal species, plant communities, and other biological features that are rare, endemic, disjunct, threatened or endangered throughout their range in Montana, vulnerable to extirpation from Montana, or in need of further research.

Individual species, communities, or biological features are referred to as "elements." An "element occurrence" generally falls in one of the following categories:

Plants: A documented location of a plant population. In some instances, adjacent, spatially separated clusters are considered subpopulations and are grouped as one occurrence (e.g., the subpopulations occur in ecologically similar habitats, and are within approximately one air mile of one another).

Animals with limited mobility (most invertebrates, amphibians, reptiles, small mammals, most fish): The location of a specimen collection or of a verified sighting; assumed to represent a breeding population. Additional collections or sightings are often appended to the original record.

Mobile or migratory animals (most birds and larger mammals, some fish): Breeding areas (including nesting territories, dens and leks) and significant aggregation sites (winter feeding areas, staging grounds, or hibernacula).

Communities: All contiguous, high-quality habitat as defined by physical and biological features.

Other: Significant biological features not included in the above categories, such as bird rookeries, peatlands, or state champion trees.



The quantity and quality of data contained in MTNHP reports is dependent on the research and observations of the many individuals and organizations who contribute information to the program.

Please keep in mind that the absence of information for an area does not mean the absence of significant biological features. Reports produced by the Montana Natural Heritage Program summarize information known to the program at the time of a request. These reports are not intended as a final statement on the elements or areas being considered, nor are they a substitute for on-site surveys which may be required for environmental assessments.

As a user of MTNHP, your contributions of data are essential to maintaining the accuracy of our data bases. New or updated location information for all species of special concern is always welcome.

We encourage you to visit our website at <http://nris.state.mt.us/mtnhp/>. On-line tools include species lists, an electronic version of *Montana Bird Distribution*, and search capabilities by county, management unit, or USGS 7.5' quadrangle. Also available is the *Montana Rare Plant Field Guide*, which contains photos, high-quality diagnostic illustrations, and supporting information for over 300 rare plant species in Montana.



ARTICLE	AUTHOR
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]
[Faint text]	[Faint text]

Certain codes and abbreviations are used in element occurrence reports. Although many of these are very straightforward, the following explanations should answer most questions.

Global Rank and State Rank

Taxa are evaluated and ranked by MTNHP on the basis of their global (range-wide) status, and their state-wide status according to a standardized procedure.

For each level of distribution, global and state, species are assigned a numeric rank ranging from 1 (critically imperiled) to 5 (demonstrably secure). For example, Clustered lady's-slipper (*Cypripedium fasciculatum*) is ranked G4 S2. That is, globally the species is apparently secure, while in Montana it is imperiled because of rarity, or because of other factors making it demonstrably vulnerable to extirpation.

Rank Definition

- | | |
|---|--|
| 1 | Critically imperiled because of extreme rarity, or because of some factor of its biology making it especially vulnerable to extirpation. |
| 2 | Imperiled because of rarity, or because of other factors demonstrably making it very vulnerable to extinction throughout its range. |
| 3 | Vulnerable because of rarity, or found in a restricted range even though it may be abundant at some of its locations. |
| 4 | Apparently secure, though it may be quite rare in parts of its range, especially at the periphery. |
| 5 | Demonstrably secure, though it may be quite rare in parts of its range, especially at the periphery. |
| U | Possibly in peril but status uncertain; more information needed. |
| H | Historical, known only from records over 50 years ago; may be rediscovered. |
| X | Believed to be extinct; historical records only. |

Other Global and State Rank codes:

- | | |
|---|---|
| T | Rank for a subspecies or variety; appended to the global rank for the full species, e.g., G4T3. |
| Q | Taxonomic questions or problems involved; more information needed. |
| ? | Inexact or uncertain. |
| Z | Ranking not applicable. |
| A | Accidental in the state. Includes species (usually birds or butterflies) recorded very infrequently, hundreds or thousands of miles outside their usual range. |
| B | A state rank modifier indicating breeding status for a migratory species. Example: S1B, SZN = breeding occurrences for the species are ranked S1 (critically imperiled) in the state; non-breeding occurrences are not ranked in the state. |
| # | A modifier to SX or SH: the species has been reintroduced but the population is not yet established. |

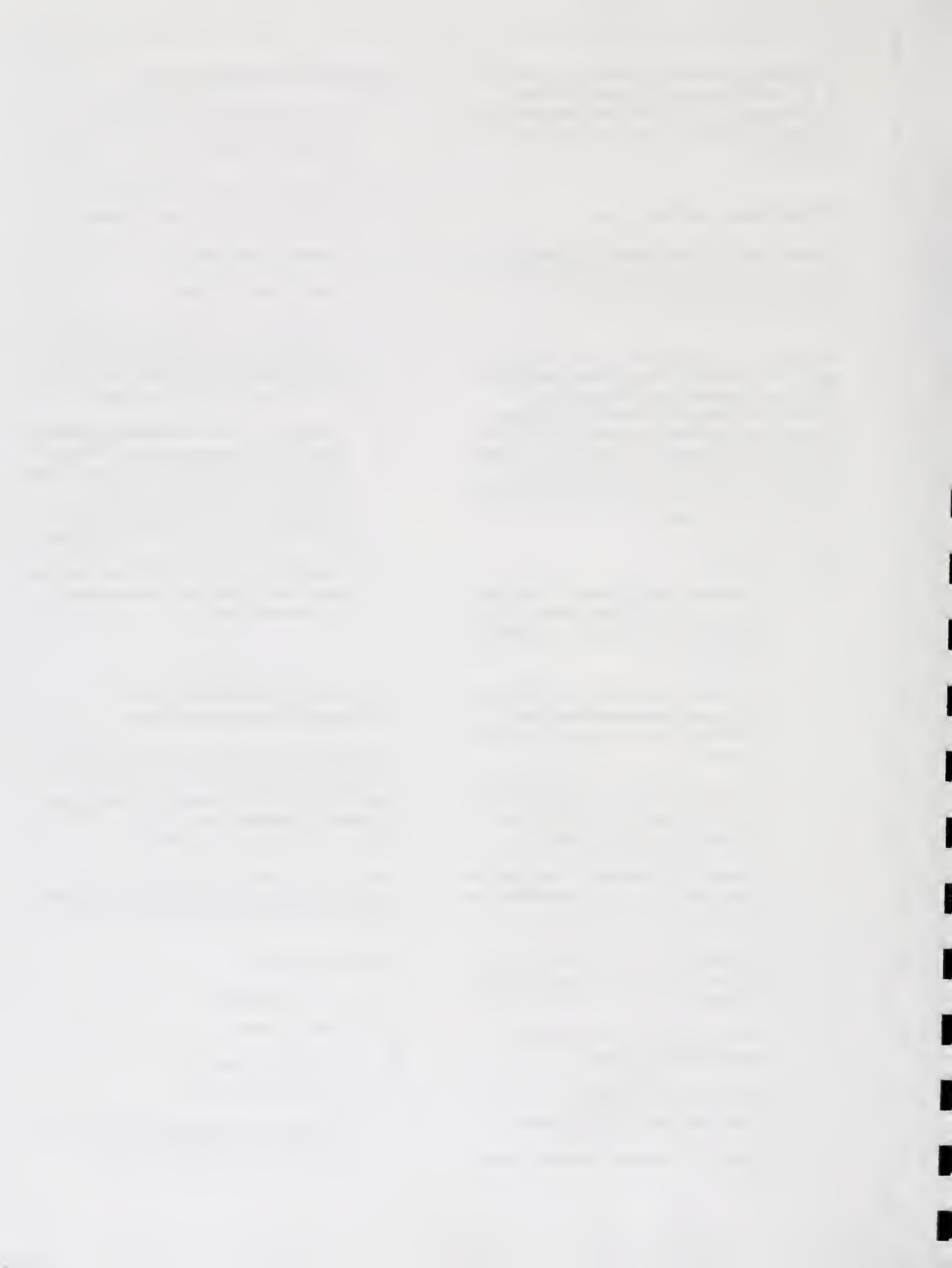
U. S. Fish And Wildlife Service Endangered Species Act Status

Abbreviations indicate the categories defined in the U.S. Fish and Wildlife Service Notice of Review and indicate the status of a taxon under the federal Endangered Species Act of 1973 (16 U.S.C.A. §1531-1543 (Supp. 1996)).

Note: the categories C2, 3B and 3C are no longer maintained by the U.S. Fish and Wildlife Service (61 FR 7596, Feb. 28, 1996).

Current categories are:

- | | |
|----|--|
| LE | listed endangered |
| LT | listed threatened |
| PE | proposed endangered |
| PT | proposed threatened |
| C | candidate: Substantial information exists in U.S. Fish and Wildlife files on biological vulnerability to support |



proposals to list as threatened or endangered.

NL not listed or no designation (see below)

XN non-essential experimental population

A species can have more than one federal designation if the species' status varies within its range. In these instances, the Montana designation is listed first. Example: LE LT = species is listed as endangered in Montana; elsewhere in its range it is listed as threatened.

U.S. Forest Service Status

The status of species on Forest Service lands as defined by the U.S. Forest Service manual (2670.22). These taxa are listed as such by the Regional Forester (Northern Region) on National Forests in Montana. Species are listed as:

T/E/P listed as Threatened (LT) or Endangered (LE) under the Endangered Species Act or proposed for listing (P), and known or suspected to occur on national forests.

S sensitive species, subspecies or variety, for which the Regional Forester has determined there is a concern for population viability rangewide or in the region.

Bureau of Land Management Status

The status of species on Bureau of Land Management land is defined by the BLM 6840 manual and designated by the Montana State Office of the BLM in 1996:

S sensitive species: proven to be imperiled in at least part of its range and documented to occur on BLM lands.

W watch species: either known to be imperiled and suspected to occur on BLM lands, suspected to be imperiled and documented on BLM lands, or needing further study for other reasons.

Other terms that may be used in this report

USGS quadrangle - Name of the 7.5-minute USGS topographic map(s) where the population is located.

Township, range, section, TRS comments - legal description of the centroid of the population and, if known, additional townships or sections. TRS locators may be based on unsurveyed townships; in such cases, the locators are derived from U. S. Forest Service visitor maps or from BLM surface management status maps. This is done for convenience in describing species locations; the information does not necessarily indicate legal boundaries.

Precision - the level of location accuracy of the record.

S = accuracy of location is within an area of approximately 10 acres

M = accuracy of location is within a radius of approximately 1.5 miles

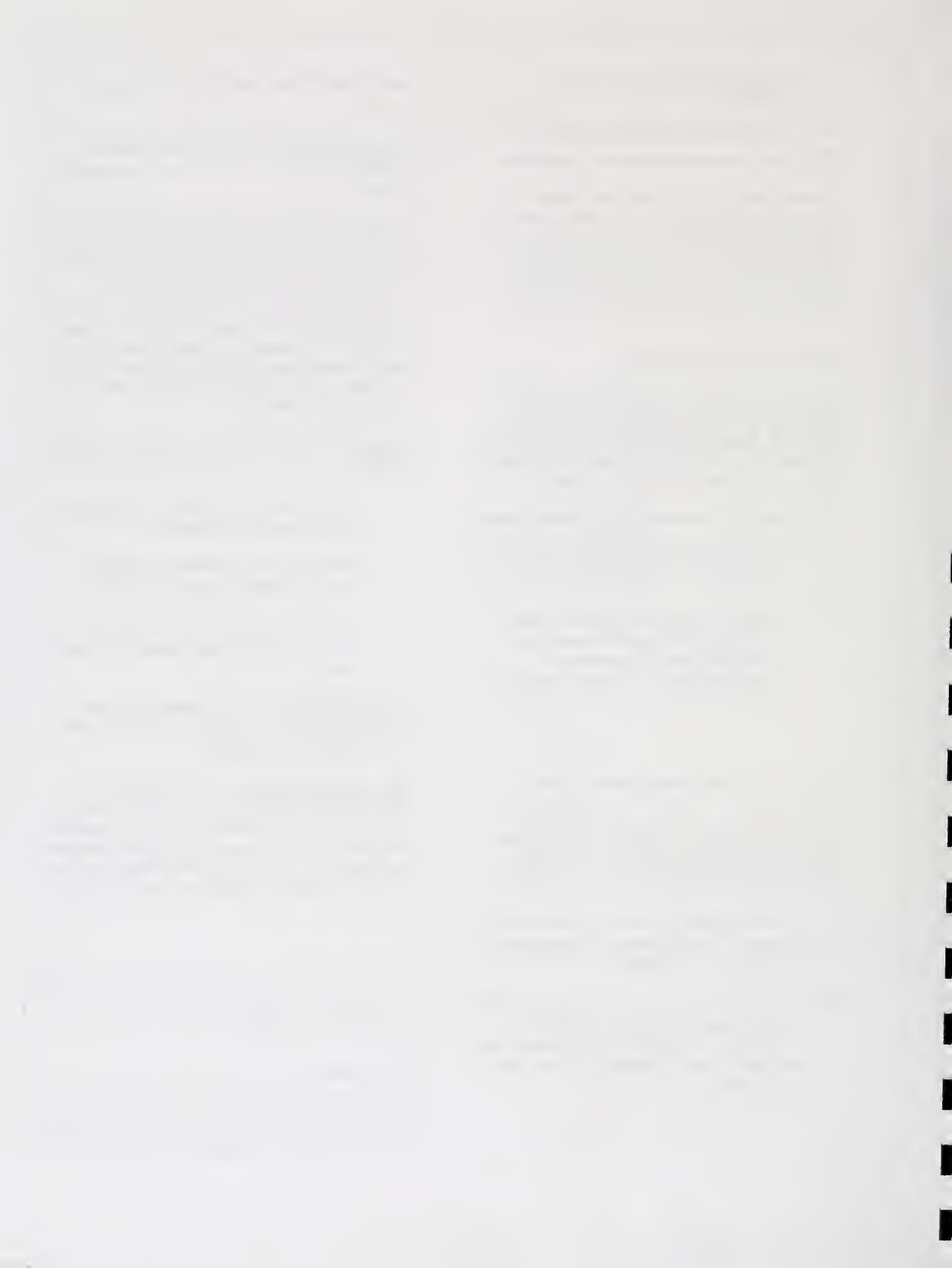
G = location is a place-name only, or within a radius of approximately 5 square miles.

Last observation: date the element was last observed extant at the site (not necessarily the date the site was last visited).

Land Owner/manager - the ownership or management of the land on which the element occurs. Areas are generally listed from smallest to largest. In most instances, this information is derived from U.S. Forest Service visitor maps or from BLM surface management status maps.

Please remember that this report is a summary of information. Additional data are available on most sites and species

If you have questions or need further assistance, please contact us either by phone at (406/444-0914), e-mail (mtnhp@nris.state.mt.us) or at the mailing address shown on the first page.



10/3/2002

Montana Natural Heritage Program
Species of Concern
Blaine County, APP# 5015

Scientific Name: VULPES VELOX

Common Name: SWIFT FOX

Forest Service Status: SENSITIVE

Global Rank: G3

USFWS Endangered Species Act: (LE)

State Rank: S3

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

LIMITED DATA AVAILABLE; BUT PROBABLY AT LEAST 4 BREEDING PAIRS ARE PRESENT. THE BOUNDARIES FOR THIS OCCURRENCE ENCOMPASS ALL REPORTED OBSERVATIONS LOCATED WITHIN 20 KM OF ONE ANOTHER. SPECIFIC OBSERVATION DATA AVAILABLE FROM MTNHP.

Last observation: 1996

Size (acres):

General site description:

ROLLING, GLACIATED MIXED-GRASS PRAIRIE WITH LIMITED SHRUB.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); BLM: LEWISTOWN FIELD OFFICE; FORT BELKNAP INDIAN RESERVATION

Comments:

41 OBSERVATIONS IN THE 1980S AND 1990S, INCLUDING 5 OF PUPS OR JUVENILES.

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800, HELENA, MT 59620-1800. 406/444-3009.

Survey site name: BORDER PRAIRIE

County: BLAINE; VALLEY; PHILLIPS; HILL

USGS quadrangle: (EXTENDS OVER NUMEROUS QUADS)

Precision: G

Elevation (ft):

Location:

A VERY LARGE AREA MOSTLY NORTH OF THE MILK RIVER FROM CHINOOK TO HINSDALE AND EXTENDING TO CANADA.

Township\Range:

Section:

TRS comments:

037N018E

12

CENTROID--OCCURRENCE EXTENDS OVER MANY TOWNSHIPS

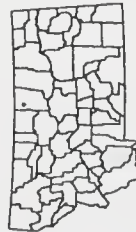
Application number 5015 T34N, R19E Sec.35 is within the swift Fox area. The wildlife survey stipulation will be utilized on this tract's lease.

Montana Species of Concern Blaine County APP# 5015

Animal
Bird
Mammal
Search Area

Land Status

BLM
BOR (BuRec)
CoE & other DoD
NPS
USFS
Other USDA
USFWS
BIA Trust
Tribal
State Trust
DFWP
University & Institutions
County & City
Plum Creek
Private Conservation
Other private
Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area

Not all legend items may occur on map

Features shown on the map do not imply public access to any lands

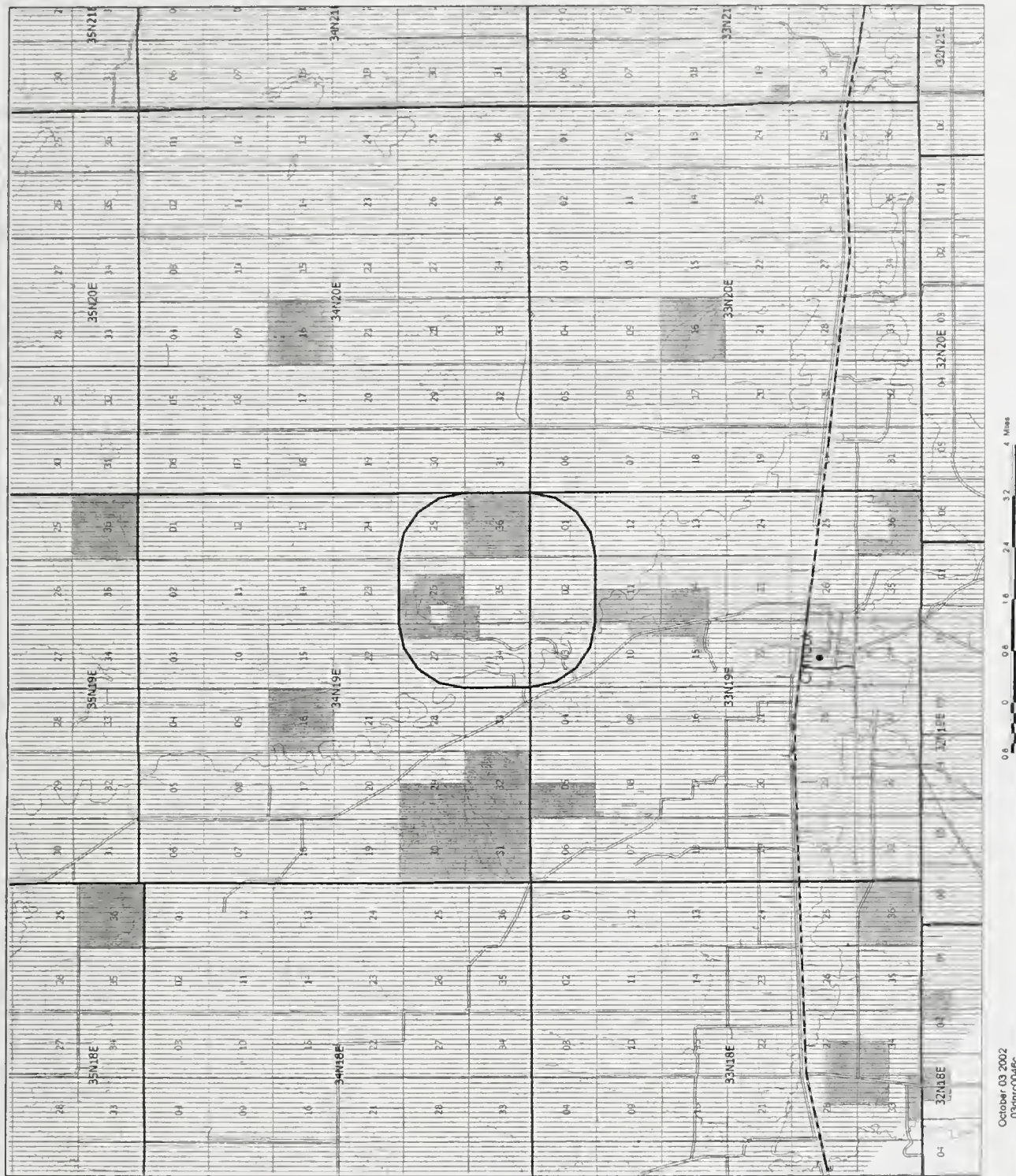
This map displays management status, which may differ from ownership

Refer to accompanying documentation for full explanation of map features



Montana
Natural Heritage
Program
Natural Resources Information System
PO Box 204860
Helena, MT 59620-4860
(406) 444-3208 mnp@dnr.mt.us

October 03 2002
03smc0046c



Montana Natural Heritage Program
Species of Concern
Carter County, APP# 5039-5047

0/2002

Scientific Name: BUTEO REGALIS

Common Name: FERRUGINOUS HAWK

Global Rank: G4

State Rank: S3B,SZN

Forest Service Status:

USFWS Endangered Species Act:

BLM Status:

SPECIAL STATUS

Occurrence Type:

Species occurrence data:

BREEDING POPULATION OF CA. 5 PAIRS. THE BOUNDARIES FOR THIS OCCURRENCE ENCOMPASS ALL REPORTED NEST OBSERVATIONS IN THE AREA. (SPECIFIC OBSERVATION DATA AVAILABLE FROM MTNHP.)

Last observation: 1997-05

Size (acres):

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND; BLM: MILES CITY FIELD OFFICE

Comments:

FULL EXTENT OF OCCUPIED BREEDING HABITAT IS UNKNOWN.

Information source:

WITTENHAGEN, K. W. 1991. 1991 PROGRESS REPORT ON THE FERRUGINOUS HAWK IN SOUTHEASTERN MONTANA. UNPUBL. REP. U.S. BUR. LAND MANAGE., MILES CITY, MONTANA. 24 PP.

Survey site name: WEST OF ALZADA

County: CARTER

USGS quadrangle: GOMER DRAW; COCHRAN RESERVOIR

Precision: G

Elevation (ft):

Location:

GENERALLY ALONG US 212, WEST AND NORTH OF ALZADA.

Township\Range:

009S058E

008S059E

008S058E

009S059E

009S057E

Section:

15

00

00

00

00

TRS comments:

App. # 5046 T9S, R59E, Sec. 16 is ~ 1/4 to 1 1/4 miles away
From the edge of the Ferruginous hawk boundary - No impact.

App. # 5047 T9S, R59E, Sec. 36 is outside the Ferruginous
hawk area (~3-4 miles away). - No impact.

App. # 5044 T9S, R58E, Sec. 16 is within the Ferruginous hawk area.
The wildlife survey stipulation will be utilized on this tract's lease.

App. # 5041 T8S, R58E Sec 36 is partly within the Ferruginous hawk area
The wildlife survey stipulation will be utilized on this tract's lease
MTNHP ref. PMLJLID012*001*MT

Montana Natural Heritage Program
Species of Concern
Carter County, APP# 5039-5047

08/2002

Scientific Name: SOREX NANUS

Common Name: DWARF SHREW
Global Rank: G4

Forest Service Status:
USFWS Endangered Species Act:

State Rank: S3

BLM Status:

Occurrence Type:

Species occurrence data:

TOTAL OF 16 SPECIMENS COLLECTED IN 1979-1980 AT 10 LOCATIONS.

Last observation: 1980-08-19

Size (acres):

General site description:

Land owner/manager:

BLM: MILES CITY FIELD OFFICE; PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND

Comments:

Information source:

SIEG, C. H., D. W. URESK, AND R. M. HANSEN. 1986. THE VALUE OF BENTONITE MINE SPOILS IN
SOUTHEASTERN MONTANA AS SMALL MAMMAL HABITAT. NORTHWEST SCIENCE 60(4):218-224.

Survey site name: ALZADA

County: CARTER

USGS quadrangle: GOMER DRAW; ALZADA; COCHRAN RESERVOIR

Precision: G

Elevation (ft): 3400

Location:

VICINITY OF ALZADA AND WEST CA. 12 MILES UP THOMPSON CREEK.

Township\Range:

Section:

009S059E

30

009S058E

24

009S057E

009S060E

TRS comments:

30 NW4; ADDITIONAL SECTIONS

MANY SECTIONS

SE4; 25 NE4

MANY SECTIONS

Application # 5046 T9S, R59E, Sec. 16 is within this dwarf
shrew area. The TLMD contact MDFWP regarding wildlife stipulation will be
utilized on this tract's lease.

Application # 5047 T9S, R59E, Sec 36 is mostly within this dwarf
shrew area. The TLMD contact MDFWP regarding wildlife stipulation will be
utilized on this tract's lease.

Application # 5044 T9S, R58E, Sec. 16 is mostly within this dwarf shrew
area. Application # 5045 T9S, R58E, Sec. 36 is partly within it. The TLMD

Contact MDFWP regarding wildlife stipulation MTNHP ref. PMLH1D012*001*MT

Will be utilized on the lease of each tract. → Note: Bentonite mining has occurred
on this tract.

6/2002

Montana Natural Heritage Program
Species of Concern
Carter County, APP# 5039-5047

Scientific Name: ASTRAGALUS RACEMOSUS VAR RACEMOSUS

Common Name: RACEME MILKVETCH

Global Rank: G5T5

State Rank: S2

Forest Service Status:

USFWS Endangered Species Act:

BLM Status:

Occurrence Type:

Species occurrence data:

SCATTERED COLONIES.

Last observation: 1988-06-18

Size (acres): 0

General site description:

IN GRASSLANDS. WITH STIPA COMATA AND AGROPYRON SMITHII.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

ELEVATION READS 3,400 FT BUT HIS DESCRIPTION READS CA. 6 MILES. MILEAGE WAS FOLLOWED FOR LOCATION OF EO; RECORD LOCATION IS GENERAL NOT SPECIFIC. ORIGINALLY DETERMINED BY BARNEBY AS A. R. VAR. LONGISETUS AND ANNOTATED BY HIM TO A. R. VAR. RACEMOSUS.

Information source:

LESICA, PETER. INDEPENDENT CONSULTING BOTANIST. MISSOULA, MT

Survey site name: CAMP CREEK

County: CARTER

USGS quadrangle: GREASY HILL

Precision: G

Elevation (ft): 3580

Location:

ALONG HIGHWAY 212; CA. 6 MI. SOUTHEAST OF HAMMOND.

Township/Range:
007S056E

Section:
36

TRS comments:
SE4

Application # 5040 T8S, R57E, Sec. 16 is ~ 2-3 miles away from this site. Hwy 212 does not cut the tract. Numerous int. streams cut the tract and elevation is lower than that shown on the topographic map for the site. Aspect is more to the north and east. Dissimilar habitat, distance. - No impact

App # 5039 T7S, R57E, Sec 36 is ~ 5-6 miles ^{west} from this MT Heritage program site. Similar to lower elevation is present as well as some similar topography and aspect. The vegetation survey will be utilized on this tract's lease.

Montana Natural Heritage Program
Species of Concern
Carter County, APP# 5039-5047

5/2002

Scientific Name: QUERCUS MACROCARPA

Common Name: BUR OAK

Global Rank: G5

State Rank: S1

Forest Service Status:

USFWS Endangered Species Act:

BLM Status:

SENSITIVE

Occurrence Type:

Species occurrence data:

1996: NO REGENERATION OR ACORN PRODUCTION. 1995: >100 PLANTS IN T9S, R60E, S31; FLOWERING.
1992: EST. 5,000 TO 10,000 TREES AS DOMINANTS OR CO-DOMINANTS ACROSS MUCH OF SCATTERED
SAVANNA AND SCRUB WOODLAND COMMUNITIES; 10-20 FEET TALL, MOSTLY LESS THAN 20 CM DBH,
MAXIMUM DBH CA. 45 CM. IN LEAF; SEEDLINGS; INSECT DAMAGE. DIMINISHING IN FREQUENCY
WESTWARD AND DOWNSLOPE. ACORN PRODUCTION LOW IN 1992.

Last observation: 1996-07-12

Size (acres): 1200

General site description:

CONCENTRATED ON EASTERN THREE-FOURTHS OF NW-SE TRENDING SHALE RIDGE SYSTEMS, ALSO
EXTENDING EAST TO LITTLE MISSOURI RIVER. MOWRY SHALE-HEAVY CLAY SOIL; PINUS
PONDEROSA/QUERCUS MACROCARPA/JUNIPERUS SCOPULORUM WOODLAND WITH ALMOST NO SHRUB
UNDERSTORY, ALMOST NO WOODLAND HERBACEOUS UNDERSTORY; MAINLY CAREX PENNSYLVANICA
AND PRAIRIE GRASSES, WITH SLIGHTLY MORE FORB COVER AT EAST END WHERE SANDY LOAM
OVERLIES SHALE.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); BLM: MILES CITY FIELD OFFICE; STATE TRUST LAND

Comments:

1996: K. DUEHOLM REPORTED 3 ADDITIONAL LOCATIONS WITHIN THE AREA ENCOMPASSED BY THIS
RECORD. OCCURRENCE IS AMONG WESTERNMOST STANDS OF BUR OAK RANGEWIDE; EXTENDS INTO WYOMING.
MINING ROADS AND GRAZING AFFECTING AREA; BENTONITE MINING OCCURRING ACROSS WESTERN PORTION OF
STAND. NOTE THAT FIRST OBS YEAR IS ACTUALLY "194?" - ENTERED AS "1940" FOR DATA TRANSFER PURPOSES.
LESICA SPECIMEN 4123 ATTRIBUTED TO SECTION 21, BUT SITE DESCRIPTION MATCHES THAT OF SECTION 31.
THREE SUBPOPULATIONS WITH MAPPED BOUNDARIES WERE DIGITIZED (3/10/99); ELEMENT OCCURRENCE
COVERS LARGER AREA THAN DIGITIZED SUBPOPULATIONS.

Information source:

VANDERHORST, J., S. V. COOPER, AND B. L. HEIDEL. 1998. BOTANICAL AND VEGETATION SURVEY
OF CARTER COUNTY, MONTANA. UNPUBLISHED REPORT TO BUREAU OF LAND MANAGEMENT. MONTANA
NATURAL HERITAGE PROGRAM, HELENA. 116 PP. + APP.

Survey site name: ALZADA OAKS

County: CARTER

USGS quadrangle: GOMER DRAW; ALZADA; COCHRAN RESERVOIR

Precision: S

Elevation (ft): 3435

Location:

FROM ALZADA GO NORTH ON HWY 212 CA. 1 MILE, CROSS RIVER, AND TAKE RIDGE ROAD WEST 5.4
MILES. PROCEED SOUTH ON UNIMPROVED ROAD CA. 2 MILES TO SHELDON CREEK.

Township\Range:

Section:

TRS comments:

009S059E

32

W2; 29 S2SE4; 28 S2SW4; 31 NE4; 32 SE4; 33; 34; 35

009S058E

36

E2SE4; 35 S2S2; 34 S2S2; 33

009S060E

31

NW4NW4

App. # 5045 T9S, R58E, Sec 36

*Contains bur oak sites. The avoid
wooded areas stipulation will be
utilized on this tract's lease.*

MTNHP ref. PMLIL1D012*001*MT

3/2002

Montana Natural Heritage Program
Species of Concern
Carter County, APP# 5039-5047

Scientific Name: NUTTALLANTHUS TEXANUS

Common Name: BLUE TOADFLAX

Global Rank: G4G5

State Rank: S1

Forest Service Status:

USFWS Endangered Species Act:

BLM Status: WATCH

Occurrence Type:

Species occurrence data:

100-1000 PLANTS; IN FLOWER AND FRUIT.

Last observation: 1986-06-15

Size (acres): 1

General site description:

MOWRY SHALE-CLAY; PINE-OAK-JUNIPER WOODLAND, WITH CRYPTANTHA TORREYANA, MENTZELIA
DISPERSA, MENTZELIA ALBICAULIS, FESTUCA OCTOFLORA.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); BLM: MILES CITY FIELD OFFICE

Comments:

"SAW ONE SITE-PROBABLY MORE IN AREA."

Information source:

VANDERHORST, J. S. V. COOPER, AND B. L. HEIDEL. 1998. BOTANICAL AND VEGETATION SURVEY
OF CARTER COUNTY, MONTANA. UNPUBLISHED REPORT TO BUREAU OF LAND MANAGEMENT. MONTANA
NATURAL HERITAGE PROGRAM, HELENA. 116 PP. + APP.

Survey site name: ALZADA OAKS

County: CARTER

USGS quadrangle: GOMER DRAW

Section: M

Elevation (ft): 3630

Location:

FROM ALZADA GO NORTH ON HWY 212, CROSS RIVER, TAKE RIDGE ROAD WEST ABOUT 5.4 MILES.
PROCEED SOUTH ON UNIMPROVED ROAD ABOUT 2 MILES TO SHELDON CREEK.

Township\Range:

009S059E

Section:

32

TRS comments:

*The NHP Field guide notes the habitat as
"Open, sandy or acid shale soils of grass lands
and woodlands on the plains."*

*I checked with Field staff For Sept 2001 MT oil & gas lease
sale regarding trees on App. #'s 5046 & 5047, T9S, R59E, Sec.
16 & 36, respectively. There are ash, box elder, maybe some cottonwoods,
chokecherry, plum, and snowberry trees on these tracts. Tracts are 72
miles from this site. Distance and dissimilar habitat → no impact.
Quaternary alluvium at surface for section 36.*

*App # 5045 T9S, R58E, Sec. 36 is ~2 3/4 to 3 1/4 miles from this site.
(No impact to it) but it has lower elevation ranging from ~3430 - 3450 ft.
The state tract may have some similar habitat, flatter topography. This shale also occurs to the east and
The state geologic map indicates Mowry shale throughout this section. Bur oak trees are
west of section 36. This tract has an existing bentonite lease with roads and mined areas. Bur oak trees are
present on the tract. The vegetation survey stipulation will be utilized on this tract's lease.*

2002

Montana Natural Heritage Program

Species of Concern

Carter County, APP# 5039-5047

Scientific Name: MAIANTHEMUM CANADENSE VAR INTERIUS

Common Name: WILD LILY-OF-THE-VALLEY

Global Rank: G5T4

Forest Service Status:

USFWS Endangered Species Act:

State Rank: SH

BLM Status:

Occurrence Type:

Species occurrence data:

SEVERAL PLANTS.

Last observation: 1948-06-19

Size (acres): 0

General site description:

ON A SHADED, DEEP HUMUS BENCH ABOVE THE RIVER.

Land owner/manager:

STATE TRUST LAND

Comments:

Information source:

VANDERHORST, J., S. V. COOPER, AND B. L. HEIDEL. 1998. BOTANICAL AND VEGETATION SURVEY OF CARTER COUNTY, MONTANA. UNPUBLISHED REPORT TO BUREAU OF LAND MANAGEMENT, MONTANA NATURAL HERITAGE PROGRAM, HELENA. 116 PP. + APP.

Survey site name: ARKANSAS CREEK

County: CARTER

GS quadrangle: ALZADA

Section: M

Elevation (ft): 3430

Location:

ONE MILE SOUTHEAST (SIC) OF ALZADA, ALONG RIVER. (NOTE: LITTLE MISSOURI RIVER FLOWS SOUTHWEST OF ALZADA).

Township/Range:

009S059E

Section:

36

TRS comments:

NE4

Application # 5047 T9S, R59E, Sec 36
contains this site. The vegetation survey stipulation will be
utilized on this tract's lease.

App. # 5046, T9S, R59E, Sec 16 is ~2 1/2 to 3 1/2 miles from this
site. The little Missouri River does not cut this tract. - No impact.

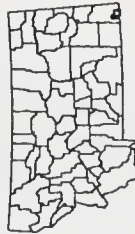
Montana Species of Concern Carter County APP# 5039-5047

Biological Data

- Animal
- Plant
- Other
- Plant
- Animal
- Mammal
- Search Area

Land Status

- BLM
- BOR (BuRec)
- CoE & other DoD
- NPS
- USFS
- Other USDA
- USFWS
- BIA Trust
- Tribal
- State Trust
- DFWP
- University & Institutions
- County & City
- Plum Creek
- Private Conservation
- Other private
- Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area

Not all legend items may occur on map

Features shown on this map do not imply public access to any lands

This map displays management status, which may differ from ownership

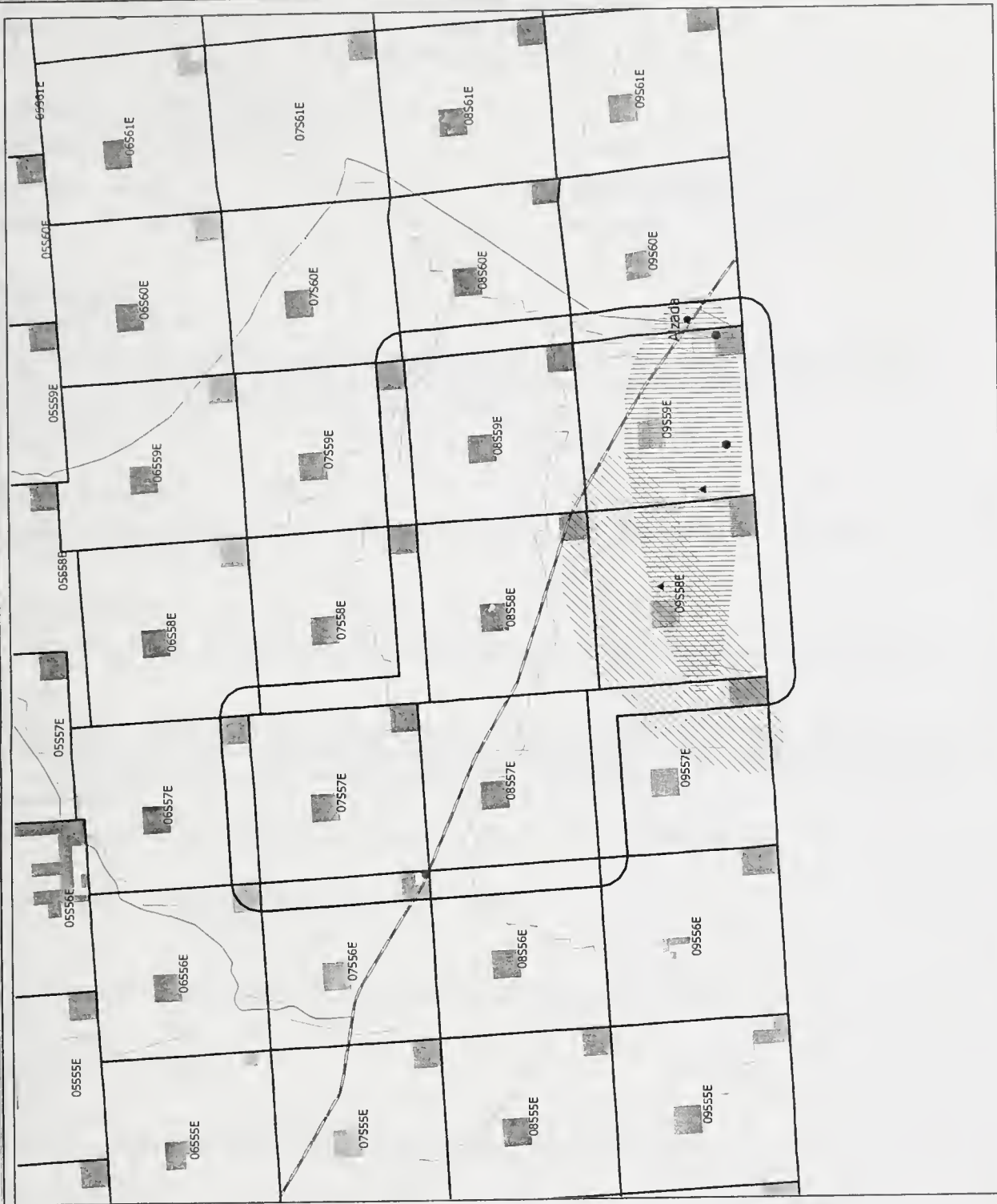
Refer to accompanying documentation for full explanation of map features



MONTANA
Natural Heritage
Program
Montana Natural Heritage Program
PO Box 201600
Helena, MT 59620-1600
406.443.2008 montanaheritage.mt.us

October 03 2002
03dhrd0046d

2 4 6 8 10 Miles



0/3/2002

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, APP# 5012, 5018-5027

Scientific Name: CYGNUS BUCCINATOR

Common Name: TRUMPETER SWAN

Forest Service Status: SENSITIVE

Global Rank: G4

USFWS Endangered Species Act:

State Rank: S2B,S2N

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

A SUBPOPULATION OF THE ROCKY MOUNTAIN POPULATION; PROBABLY 1-3 PAIRS BREEDING IN THIS AREA. POSSIBLY AT LAKES NOT CURRENTLY MAPPED. MAPPED LAKES INCLUDE ALL THOSE WHERE BREEDING HAS BEEN REPORTED IN THE PAST 20 YEARS.

Last observation: 1994

Size (acres): 0

General site description:

POTHOLE LAKES, GENERALLY WITH SUFFICIENT WATER TO MAINTAIN EMERGENT VEGETATION THROUGH THE SUMMER.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); SUN RIVER WILDLIFE MANAGEMENT AREA

Comments:

THOUGH ADDITIONAL PAIRS MAY BE PRESENT ON PRIVATE, SECLUDED LAKES IN THIS AREA, THIS SUBPOPULATION IS CLEARLY MARGINAL IN TERMS OF RECRUITMENT AND CONSERVATION OF THE ROCKY MOUNTAIN POPULATION, WHICH TOTALS SEVERAL THOUSAND ADULTS.

Information source:

SCHWITTERS, MICHAEL T. CHOTEAU, MT. (406)466-2236. EMAIL: SCHWIT@3RIVERS.NET.

Survey site name: SOUTHERN ROCKY MOUNTAIN FRONT

County: LEWIS AND CLARK

USGS quadrangle: NILAN RESERVOIR; BEAN LAKE; DOUBLE FALLS; BARR CREEK

Precision: G

Elevation (ft): 4500

Location:

VARIOUS POTHOLE LAKES GENERALLY WEST TO SOUTHWEST OF AUGUSTA,

Township\Range:

Section:

TRS comments:

020N008W

23

CENTRUM - ANDERSON LAKE

018N006W

19

018N007W

02

021N008W

03

The Rocky Mountain Front sensitive areas stipulation will be utilized on (the leases) for application numbers 5018-5020 and 5022-5029 in Lewis and Clark County and subsequently on. The sensitive areas stipulation will be utilized on application numbers 5012 and 5021, since they are east of Highway 200, and are within the MT NHP's grizzly bear area.

0/3/2002

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, APP# 5012, 5018-5027

Scientific Name: HALIAEETUS LEUCOCEPHALUS

Common Name: BALD EAGLE

Forest Service Status: THREATENED

Global Rank: G4

USFWS Endangered Species Act: (PS:LT,PDL)

State Rank: S3B,S3N

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

STATUS: CURRENT. THE MONTANA BALD EAGLE WORKING GROUP (BEWG) ANNUALLY SURVEYS AND COLLECTS DATA ON NEST SITES. CONTACT BEWG COORDINATOR DENNIS FLATH OF MONTANA FISH, WILDLIFE & PARKS (406-994-6354) FOR MORE INFORMATION ABOUT THIS OCCURRENCE.

Last observation: 1999

Size (acres):

General site description:

NEST SITE AND TERRITORY. NEST IN PONDEROSA PINE.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

REPORTED BY BRUCE BRADSHAW, A KAYAKER.

Information source:

FLATH, D. 2000. [MEMO LISTING LOCATION OF BALD EAGLE NESTS AS OF AUGUST, 1999.] UNPUBLISHED REPORT. 11PP.

Survey site name: CUNIFF CREEK

County: LEWIS AND CLARK

USGS quadrangle: KRONE RANCH

Precision: M

Elevation (ft): 4250

Location:

ON THE DEARBORN RIVER, CA. 6 RIVER MILES DOWNSTREAM FROM STATE HWY 434 "HIGH BRIDGE."

Township\Range:

Section:

TRS comments:

017N006W

1

CENTER

See page 1

0/3/2002

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, AP# 5012, 5018-5027

Scientific Name: HALIAEETUS LEUCOCEPHALUS

Common Name: BALD EAGLE

Forest Service Status: THREATENED

Global Rank: G4

USFWS Endangered Species Act: (PS:LT,PDL)

State Rank: S3B,S3N

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

STATUS: CURRENT. THE MONTANA BALD EAGLE WORKING GROUP (BEWG) ANNUALLY SURVEYS AND COLLECTS DATA ON NEST SITES. CONTACT BEWG COORDINATOR DENNIS FLATH OF MONTANA FISH, WILDLIFE & PARKS (406-994-6354) FOR MORE INFORMATION ABOUT THIS OCCURRENCE.

Last observation: 1999

Size (acres):

General site description:

NONE

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

Information source:

FLATH, D. 2000. [MEMO LISTING LOCATION OF BALD EAGLE NESTS AS OF AUGUST, 1999.] UNPUBLISHED REPORT. 11PP.

Survey site name: COMB ROCK

County: LEWIS AND CLARK

USGS quadrangle: COMB ROCK

Precision: M

Elevation (ft): 3900

Location:

DEARBORN RIVER CA. 4 AIR MILES EAST OF US HWY 200 CROSSING.

Township\Range:

Section:

TRS comments:

017N004W

19

See page 1

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, APP# 5012, 5018-5027

0/3/2002

Scientific Name: BUTEO REGALIS

Common Name: FERRUGINOUS HAWK

Forest Service Status:

Global Rank: G4

USFWS Endangered Species Act:

State Rank: S3B,SZN

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

BREEDING POPULATION OF CA. 5 PAIRS. THE BOUNDARIES FOR THIS OCCURRENCE ENCOMPASS ALL REPORTED NEST OBSERVATIONS IN THE AREA. (SPECIFIC OBSERVATION DATA AVAILABLE FROM MTNHP.)

Last observation: 1997-05

Size (acres):

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND

Comments:

FULL EXTENT OF OCCUPIED BREEDING HABITAT IS UNKNOWN.

Information source:

DUBOIS, KRISTI. REGION 4, MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS. 4600 GIANT SPRINGS ROAD, GREAT FALLS, MT 59406. 406-454-5840.

Survey site name: CROWN BUTTE AREA

County: CASCADE; LEWIS AND CLARK

USGS quadrangle: (EXTENDS OVER NUMEROUS QUADS)

Precision: G

Elevation (ft):

Location:

LARGE AREA SOUTH OF SUN RIVER AND BETWEEN US 287 AND I-15.

Township\Range:

Section:

TRS comments:

019N002W

7

CENTROID--OCCURRENCE EXTENDS OVER
NUMEROUS TOWNSHIPS

*Application #'s 5012, 5018-5029 are not in the
Ferruginous hawk area. - No impact-*

0/3/2002

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, APP# 5012, 5018-5027

Scientific Name: AMMODRAMUS BAIRDII

Common Name: BAIRD'S SPARROW

Forest Service Status: SENSITIVE

Global Rank: G4

USFWS Endangered Species Act:

State Rank: S3S4B.SZN

BLM Status:

Occurrence Type:

Species occurrence data:

1 MALE SPARROW; SINGING WHILE COLLECTED. 12.0 G; RIGHT TESTES 7 MM X 3, LEFT 9 MM X 4; SKULL OSSIFIED.

Last observation: 1989-06-15

Size (acres):

General site description:

ROADSIDE. SHORTGRASS HABITAT.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

REPORTED BY DENVER HOLT. COLLECTED BY PHIL WRIGHT.

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800, HELENA, MT 59620-1800. 406/444-3009.

Survey site name: BEAN LAKE ROAD

County: LEWIS AND CLARK

USGS quadrangle: BEAN LAKE

Precision: S

Elevation (ft): 4625

Location:

FROM AUGUSTA, FOLLOW COUNTY ROAD 434 (BEAN LAKE ROAD) CA. 15 MILES GENERALLY SOUTH UNTIL REACHING A 4-WAY INTERSECTION JUST EAST OF BEAN LAKE CAMPGROUND. SITE IS EAST OF ROAD ON NORTH SIDE OF INTERSECTION.

Township\Range:

Section:

TRS comments:

018N006W

19

NE4NE4NW4NE4

See page 1

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, APP# 5012, 5018-5027

0/3/2002

Scientific Name: URSUS ARCTOS HORRIBILIS

Common Name: GRIZZLY BEAR

Forest Service Status: THREATENED

Global Rank: G4T3T4

USFWS Endangered Species Act: (PS:LT,XN)

State Rank: S2S3

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

OCCUPIED HABITAT. THIS OCCURRENCE IS APPARENTLY SEPARATED FROM THAT IN THE MISSION MOUNTAINS TO THE EAST AND BECOMING ISOLATED FROM POPULATIONS IN CANADA TO THE NORTH. THE POPULATION IS ESTIMATED AT 549-813 BEARS WITH A MINIMUM OF 306 BEARS (INCLUDING THE MISSION MOUNTAINS PORTION), ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE. FROM 1987-1992, THE AVERAGE KNOWN HUMAN-CAUSED MORTALITY WAS 11.3 BEARS/YEAR, ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE. THE BOUNDARIES FOR THIS OCCURRENCE ARE SLIGHTLY MODIFIED FROM THE RECOVERY ZONE BOUNDARY TO INCLUDE AREAS WHERE BEARS ARE REPEATEDLY OBSERVED.

Last observation:

Size (acres):

General site description:

GRIZZLIES USE A WIDE RANGE OF HABITATS, FROM LOW-ELEVATION RIPARIAN AREAS TO ALPINE AND TALUS SLOPES.

Land owner/manager:

SCAPEGUAT WILDERNESS; BOB MARSHALL WILDERNESS; GREAT BEAR WILDERNESS; GLACIER NATIONAL PARK; FLATHEAD NATIONAL FOREST; LEWIS & CLARK NATIONAL FOREST; HELENA NATIONAL FOREST; LOLO NATIONAL FOREST; CORPORATE TIMBERLANDS; PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND; THE NATURE CONSERVANCY - CONSERVATION EASEMENTS; MONTANA LAND RELIANCE - CONSERVATION EASEMENTS; UNIVERSITY OF MONTANA LAND - BANDY RANCH; TNC - SWAN RIVER OXBOW PRESERVE

Comments:

"OCCUPIED HABITAT" IS BASED ON THE RECOVERY ZONE BOUNDARY AND THE PROFESSIONAL JUDGEMENT OF THE MTNHP ZOOLOGIST. (THE RECOVERY ZONE BOUNDARY AND BEAR MANAGEMENT UNITS ARE AVAILABLE FROM MTNHP.)

Information source:

SERVHEEN, C. 1993. GRIZZLY BEAR RECOVERY PLAN. UNPUBLISHED REPORT TO THE U.S. FWS. UNIVERSITY OF MONTANA, MISSOULA. 181 PP.

Survey site name: NORTHERN CONTINENTAL DIVIDE

County: FLATHEAD; GLACIER; PONDERA; TETON; LEWIS AND CLARK; POWELL; MISSOULA; LAKE; LINCOLN

USGS quadrangle: (EXTENDS OVER NUMEROUS QUADS)

Precision: G

Elevation (ft): 3200

Location:

THIS RECORD ENCOMPASSES AN AREA FROM CANADA SOUTH TO STATE HIGHWAY 200, AND FROM EAST FRONT TO SWAN AND STILLWATER RIVERS.

Township\Range:

Section:

TRS comments:

026N011W

22

CENTROID--OCCURRENCE EXTENDS OVER MANY TOWNSHIPS

See page 1

10/3/2002

Montana Natural Heritage Program
Species of Concern
Lewis & Clark County, APP# 5012, 5018-5027

Scientific Name: FELIS LYNX

Common Name: LYNX

Forest Service Status:

Global Rank: G5

USFWS Endangered Species Act: (PS:LT)

State Rank: S3

BLM Status:

Occurrence Type:

Species occurrence data:

POTENTIAL HABITAT. THIS OCCURRENCE RECORD CONSISTS OF LARGE CONTIGUOUS AREAS THAT WERE GENERALIZED FROM SPECIFIC HABITATS IDENTIFIED BY THE WILDLIFE SPATIAL ANALYSIS LAB AT THE UNIVERSITY OF MONTANA AS BEING POTENTIAL LYNX HABITAT.

Last observation: 1999

Size (acres):

General site description:

DENSE, MATURE OR OLD-GROWTH LODGEPOLE PINE, DOUGLAS-FIR, ENGELMANN SPRUCE AND SUBALPINE FIR FORESTS. WELL-DEVELOPED UNDERSTORY IMPORTANT.

Land owner/manager:

Comments:

ALL HABITAT POLYGONS IN THE STATE ARE INCLUDED IN THIS OCCURRENCE RECORD. SOURCE DATA INCLUDES CAVEAT THAT SUITABLE HABITAT MAY BE OVERESTIMATED. SPRUCE-FIR FORESTS ABOVE 3500 FEET ELEVATION ARE PREFERRED HABITAT. LYNX NUMBERS CYCLE WITH NUMBERS OF SNOWSHOE HARE AND MAY BE VERY LOW FOR SEVERAL YEARS EVEN IN PREFERRED HABITAT. FOR THE ABOVE REASONS AND THE PRELIMINARY NATURE OF THE HABITAT MAPPING, THIS OCCURRENCE IS NOT DISPLAYED ON STANDARD MAPS OF ELEMENT OCCURRENCES.

Information source:

HART, M. M., W. A. WILLIAMS, P. C. THORNTON, K. P. MCLAUGHLIN, C. M. TOBALSKE, B. A. MAXELL, D. P. HENDRICKS, C. R. PETERSON, AND R. L. REDMOND. 1998. MONTANA ATLAS OF TERRESTRIAL VERTEBRATES. UNPUBLISHED REPORT. MONTANA COOPERATIVE WILDLIFE RESEARCH UNIT, THE UNIVERSITY OF MONTANA, MISSOULA. VII + 1302 PP.

Survey site name: STATEWIDE

County: BEAVERHEAD; CARBON; CASCADE; DEER LODGE; FLATHEAD; GALLATIN; GLACIER; GRANITE; JEFFERSON; JUDITH BASIN; LAKE; LEWIS AND CLARK; LINCOLN; MADISON; MEAGHER; MINERAL; MISSOULA; PARK; PONDERA; POWELL; RAVALLI; SANDERS; SILVER BOW; STILLWATER; SWEET GRASS; TETO

USGS quadrangle: (EXTENDS OVER MULTIPLE QUADS)

Precision: G

Elevation (ft):

Location:

INCLUDES MUCH OF WESTERN & SOUTH CENTRAL MONTANA

Township\Range:

Section:

TRS comments:

See page 1

0/3/2002

Scientific Name: PHLOX KELSEYI VAR MISSOULENSIS

Common Name: MISSOULA PHLOX

Forest Service Status: SENSITIVE

Global Rank: G2

USFWS Endangered Species Act:

State Rank: S2

BLM Status:

Occurrence Type:Species occurrence data:

1989 PLENTIFUL.

Last observation: 1989-06-01

Size (acres): 0

General site description:

1989: DRY MEADOW. 1976: BARE WINDSWEPT HABITAT WITH KRUMMHOLZ. 1968: DRY SLOPE.

ASSOCIATED SPECIES: SAXIFRAGA RHOMBOIDEA, ERITRICHIMUM NANUM, BESSEYA WYOMINGENSIS.

Land owner/manager:

HELENA NATIONAL FOREST, LINCOLN RANGER DISTRICT

Comments:K. LACKSCHEWITZ REPORTED 5700 FT. ELEVATION (1968), T. WATSON REPORTED 6700 FT. ELEVATION (1976);
OCCURRENCE MAPPED AT 6200 FT.Information source:SCHASSBERGER, L. AND P. ACHUFF. 1991. STATUS REVIEW OF PHLOX KELSEYI VAR. MISSOULENSIS,
LEWIS AND CLARK NATIONAL FOREST. MONTANA NATURAL HERITAGE PROGRAM, HELENA, MT. 37 PP.

Survey site name: LEWIS & CLARK PASS

County: LEWIS AND CLARK

USGS quadrangle: BLOWOUT MOUNTAIN

Precision: M

Elevation (ft): 6200

Location:LEWIS & CLARK PASS (ON EAST SIDE OF ALICE CREEK BASIN, CA. 0.5 MILE NORTH OF GREEN
MOUNTAIN).

Township\Range:

Section:

TRS comments:

016N007W

13

NE4

App# 5012 T16 N, R5W Sec 32
" 5021 T17 N, R5W Sec 32
" 5022 T17 N R6W Sec 12

} are closest to this site at ~6-7 miles away.

— See P. 1 —

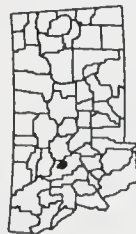
Montana Species of Concern Lewis & Clark County APP# 5012, 5018-5027

Biological Data

- Animal
- Plant
- Other
- Animal
- Bird
- Mammal
- Search Area

Land Status

- BLM
- BOR (BuRec)
- CoE & other DoD
- NPS
- USFS
- Other USDA
- USFWS
- BIA Trust
- Tribal
- State Trust
- DFWP
- University & Institutions
- County & City
- Plum Creek
- Private Conservation
- Other private
- Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area

Not all legend items may occur on map

Features shown on this map do not imply public access to any lands

This map displays management status, which may differ from ownership

Refer to accompanying documentation for full explanation of map features



Montana Natural Heritage Program
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Helena, MT 59620-1000
(406) 444-3008 mnhp@state.mt.us

October 03 2002
03dmrc0046



10/3/2002

Scientific Name: URSUS ARCTOS HORRIBILIS

Common Name: GRIZZLY BEAR

Forest Service Status: THREATENED

Global Rank: G4T3T4

USFWS Endangered Species Act: (PS:LT,XN)

State Rank: S2S3

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

OCCUPIED HABITAT. THIS OCCURRENCE IS APPARENTLY SEPARATED FROM THAT IN THE MISSION MOUNTAINS TO THE EAST AND BECOMING ISOLATED FROM POPULATIONS IN CANADA TO THE NORTH. THE POPULATION IS ESTIMATED AT 549-813 BEARS WITH A MINIMUM OF 306 BEARS (INCLUDING THE MISSION MOUNTAINS PORTION), ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE. FROM 1987-1992, THE AVERAGE KNOWN HUMAN-CAUSED MORTALITY WAS 11.3 BEARS/YEAR, ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE. THE BOUNDARIES FOR THIS OCCURRENCE ARE SLIGHTLY MODIFIED FROM THE RECOVERY ZONE BOUNDARY TO INCLUDE AREAS WHERE BEARS ARE REPEATEDLY OBSERVED.

Last observation:

Size (acres):

General site description:

GRIZZLIES USE A WIDE RANGE OF HABITATS, FROM LOW-ELEVATION RIPARIAN AREAS TO ALPINE AND TALUS SLOPES.

Land owner/manager:

SCAPEGUAT WILDERNESS; BOB MARSHALL WILDERNESS; GREAT BEAR WILDERNESS; GLACIER NATIONAL PARK; FLATHEAD NATIONAL FOREST; LEWIS & CLARK NATIONAL FOREST; HELENA NATIONAL FOREST; LOLO NATIONAL FOREST; CORPORATE TIMBERLANDS; PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND; THE NATURE CONSERVANCY - CONSERVATION EASEMENTS; MONTANA LAND RELIANCE - CONSERVATION EASEMENTS; UNIVERSITY OF MONTANA LAND - BANDY RANCH; TNC - SWAN RIVER OXBOW PRESERVE

Comments:

"OCCUPIED HABITAT" IS BASED ON THE RECOVERY ZONE BOUNDARY AND THE PROFESSIONAL JUDGEMENT OF THE MTNHP ZOOLOGIST. (THE RECOVERY ZONE BOUNDARY AND BEAR MANAGEMENT UNITS ARE AVAILABLE FROM MTNHP.)

Information source:

SERVHEEN, C. 1993. GRIZZLY BEAR RECOVERY PLAN. UNPUBLISHED REPORT TO THE U.S. FWS. UNIVERSITY OF MONTANA, MISSOULA. 181 PP.

Survey site name: NORTHERN CONTINENTAL DIVIDE

County: FLATHEAD; GLACIER; PONDERA; TETON; LEWIS AND CLARK; POWELL; MISSOULA; LAKE; LINCOLN

USGS quadrangle: (EXTENDS OVER NUMEROUS QUADS) *The Rocky Mountain Front sensitive areas*

Precision: G *stipulation will be utilized on the leases for application*

Elevation (ft): 3200 *numbers 5018-5020 and 5022-5029 in Lewis and Clark*

Location: *County*

THIS RECORD ENCOMPASSES AN AREA FROM CANADA SOUTH TO STATE HIGHWAY 200, AND FROM EAST FRONT TO SWAN AND STILLWATER RIVERS.

Township\Range:

Section:

TRS comments:

026N011W

22

CENTROID--OCCURRENCE EXTENDS OVER MANY TOWNSHIPS

The sensitive areas stipulation will be applied to leases of application numbers 5012 and 5021, since they are east of Hwy. 200 and within the MT-NHP's grizzly bear area.

10/3/2002

Scientific Name: DOWNINGIA LAETA

Common Name: GREAT BASIN DOWNINGIA

Forest Service Status:

Global Rank: G5

USFWS Endangered Species Act:

State Rank: S1

BLM Status: WATCH

Occurrence Type:

Species occurrence data:

SPECIMEN COLLECTED.

Last observation: 1887

Size (acres):

General site description:

UNKNOWN.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

Information source:

RYDBERG, P. A. 1900. CATALOGUE OF THE FLORA OF MONTANA AND THE YELLOWSTONE NATIONAL PARK MEMOIRS, NEW YORK BOTANICAL GARDEN 1:1-492.

Survey site name: AUGUSTA

County: LEWIS AND CLARK

USGS quadrangle: AUGUSTA

Precision: G

Elevation (ft): 4000

Location:

AUGUSTA

Township\Range:

020N006W

Section:

17

TRS comments:

*Note above - specimen collected - last
observed in 1887. No impact to this plant*

See Page 1

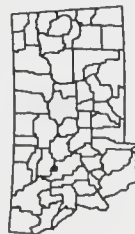
Montana Species of Concern Lewis & Clark County APP# 5028-5029

Biological Data

- ▲ Animal
- Plant
- ⊗ Other
- Animal
- Bird
- Mammal
- Search Area

Land Status

- BLM
- BOR (BuRec)
- CoE & other DoD
- NPS
- USFS
- Other USDA
- USFWS
- BIA Trust
- Tribal
- State Trust
- DFWP
- University & Institutions
- County & City
- Plum Creek
- Private Conservation
- Other private
- Water



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Not all legend items may occur on map

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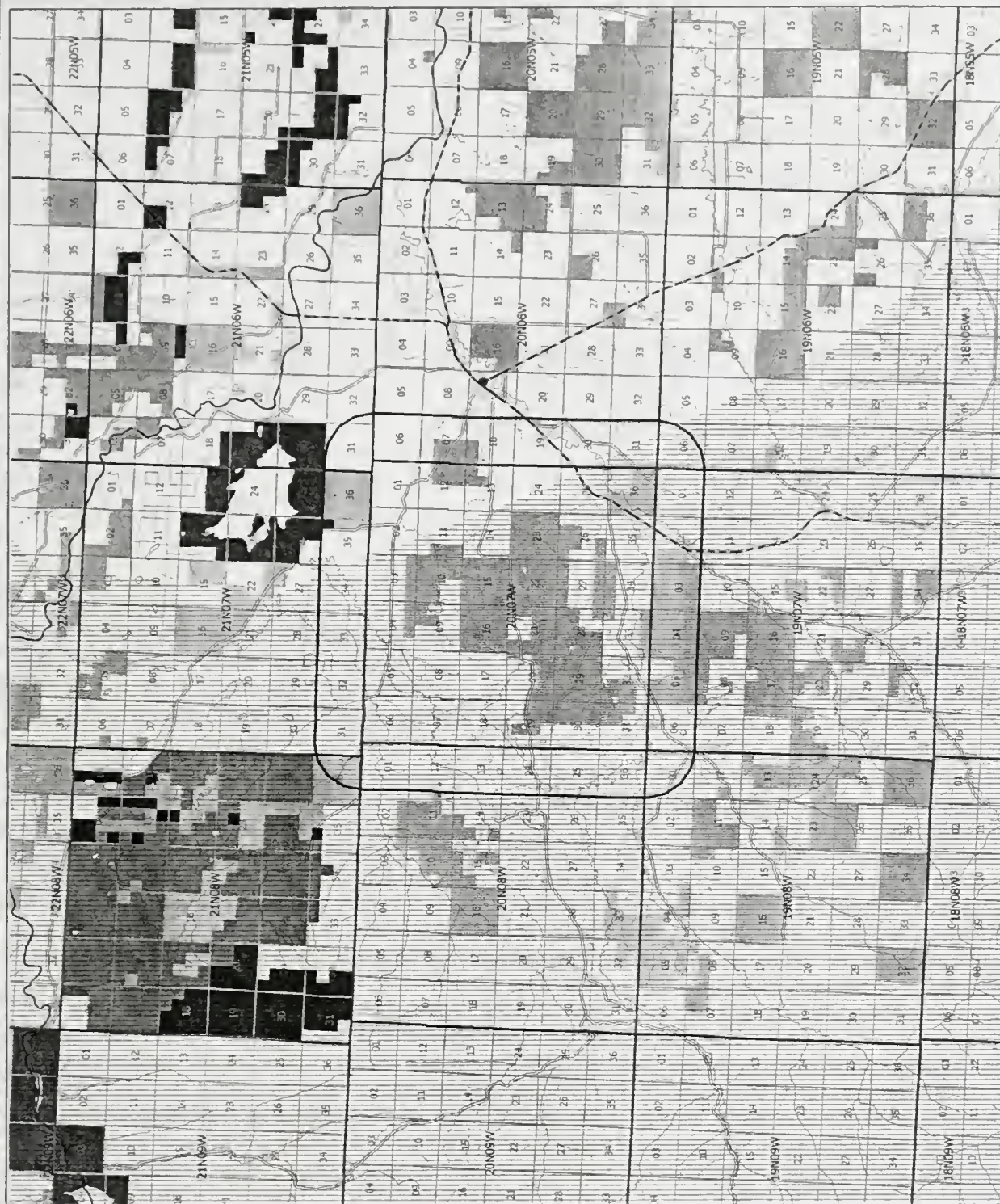
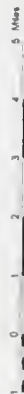
This map displays management status, which may differ from ownership

Refer to accompanying documentation for full explanation of map features



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Natural Heritage
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Natural Resource Information System
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October 03 2002
03smr0046a



10/3/2002

Montana Natural Heritage Program
Species of Concern
Musselshell County, APP# 5008-5009

Scientific Name: BUTEO REGALIS

Common Name: FERRUGINOUS HAWK

Forest Service Status:

Global Rank: G4

USFWS Endangered Species Act:

State Rank: S3B,SZN

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

BREEDING POPULATION OF AT LEAST 1 PAIR. THE BOUNDARIES FOR THIS OCCURRENCE ENCOMPASS ALL REPORTED NEST OBSERVATIONS IN THE AREA. (SPECIFIC OBSERVATION DATA AVAILABLE FROM MTNHP.)

Last observation: 1994-07

Size (acres):

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND; BLM: BILLINGS FIELD OFFICE; LAKE MASON NATIONAL WILDLIFE REFUGE

Comments:

FULL EXTENT OF OCCUPIED BREEDING HABITAT IS UNKNOWN.

Information source:

KNOWLES, CRAIG J. FAUNAWEST WILDLIFE CONSULTANTS. P.O. BOX 113, BROWNS GULCH RD., BOULDER, MT 59632. (406) 225-3221.

Survey site name: LAKE MASON AREA

County: MUSSELSHELL

USGS quadrangle: LAKE MASON NW; LAKE MASON NE; PENDER COULEE; LAKE MASON SE; LAKE MASON; TIMBER E

Precision: G

Elevation (ft):

Location:

SMALL AREA NORTHWEST OF ROUNDUP.

Township\Range:

Section:

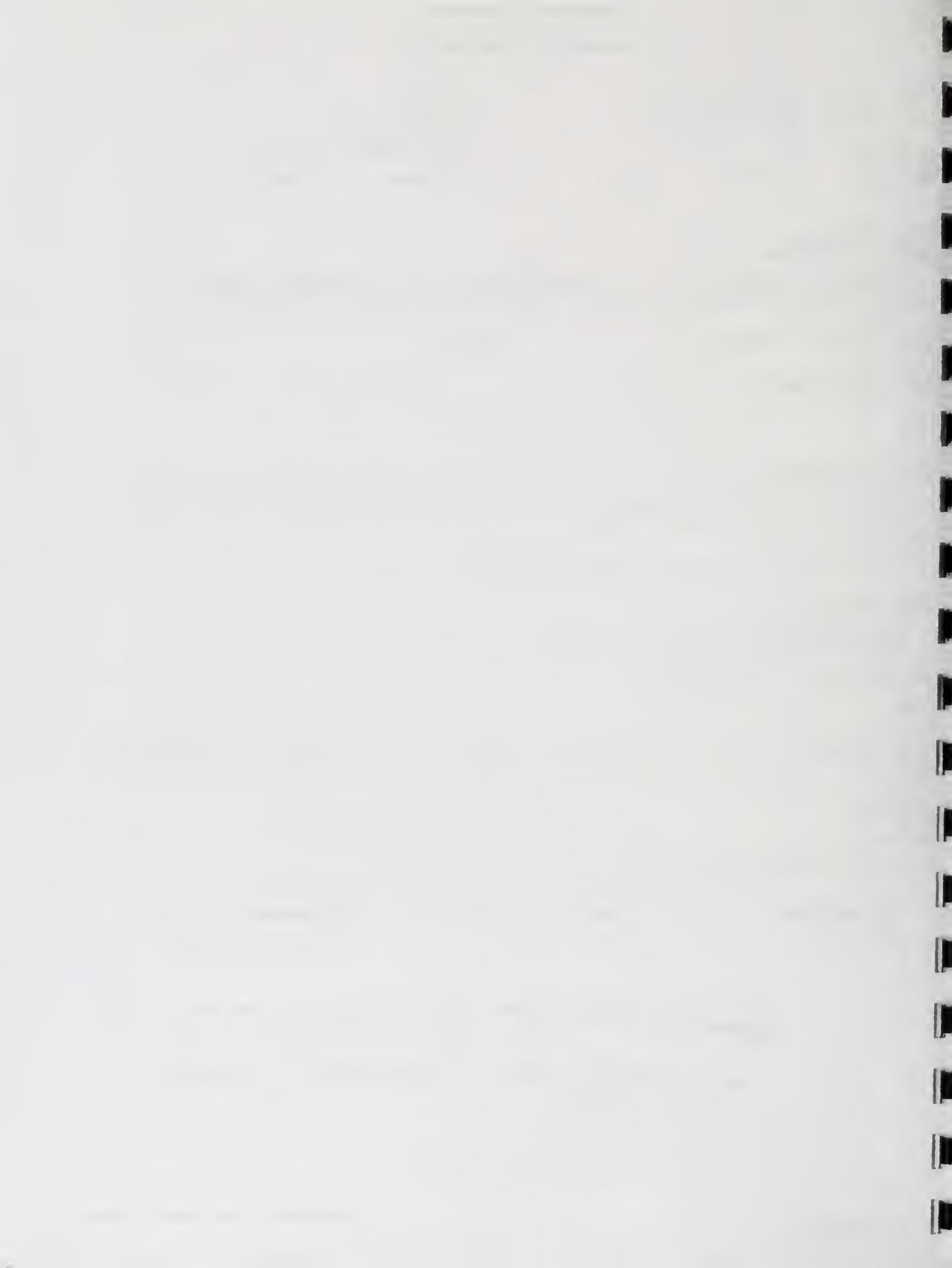
TRS comments:

010N024E

14

SPANS MULTIPLE TOWNSHIPS

*Application numbers 5009 T9N R25E Sec 36 and
5008 T9N R25E Sec 16
are not within the Ferruginous hawk area. - No impact -*

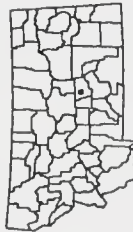


Montana Species of Concern Musshells County APP# 5008-5009

Animal
 Bird
 Mammal
 Search Area

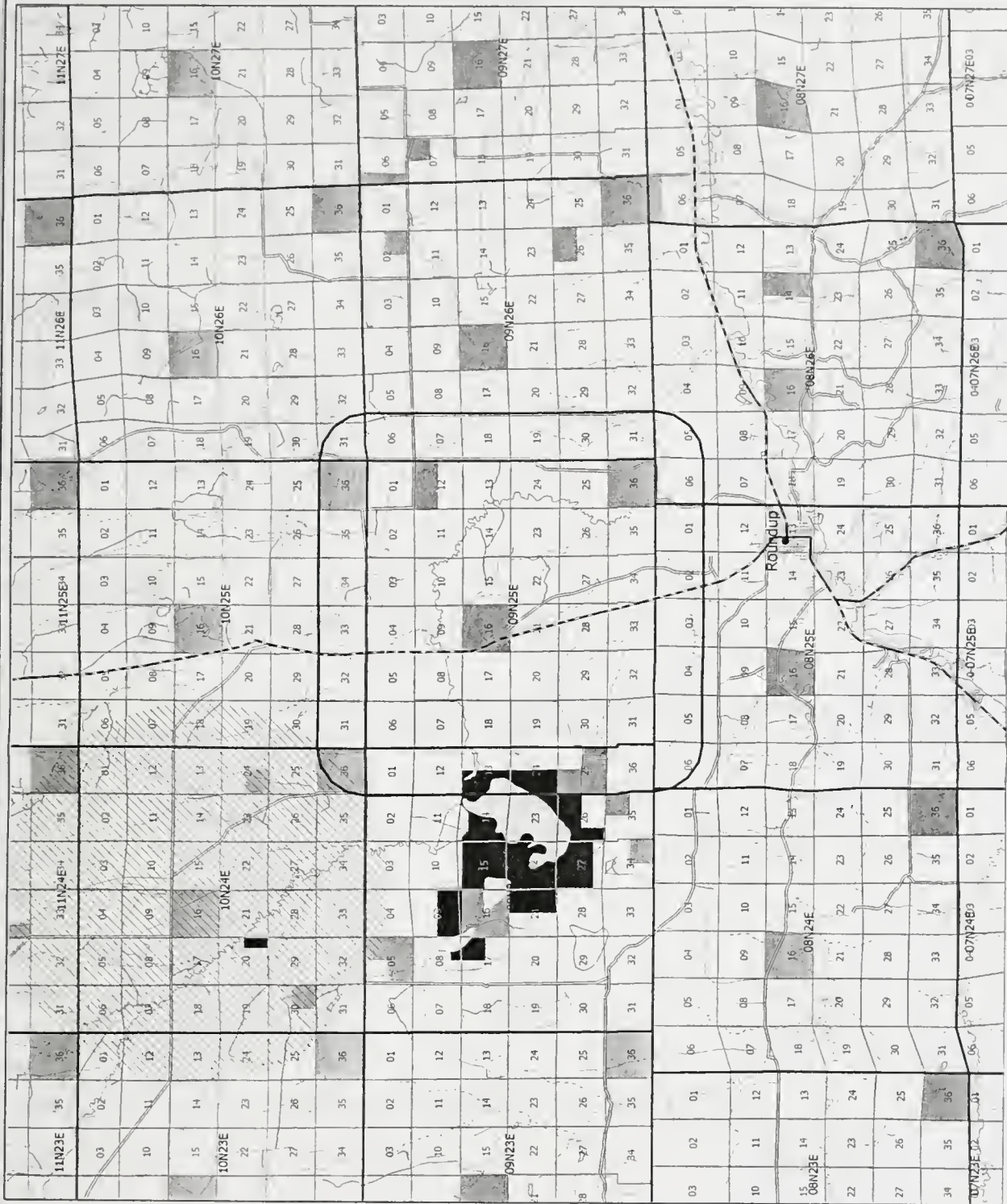
Land Status

BLM
 BOR (BuRec)
 CoE & other DoD
 NPS
 USFS
 Other USDA
 USFWS
 BIA Trust
 Tribal
 State Trust
 DFWP
 University & Institutions
 County & City
 Plum Creek
 Private Conservation
 Other private
 Water



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 Refer to accompanying documentation for full explanation of map features

MONTANA
 Natural Heritage
 Program
 Natural Resource Information System
 1000 1st Avenue
 Helena, MT 59601-1000
 (406) 444-3009 mnhp@state.mt.us



October 03, 2002
 03mcc046m



10/3/2002

Montana Natural Heritage Program
Species of Concern
Musselshell County, APP# 5010

Scientific Name: PHOXINUS EOS X PHOXINUS NEOGAEUS

Common Name: NORTHERN REDBELLY X FINESCALE DACE

Forest Service Status:

Global Rank: HYB

USFWS Endangered Species Act:

State Rank: S3

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

4 SPECIMENS COLLECTED.

Last observation: 1985-09-05

Size (acres): 0

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

PARTHENOGENIC HYBRID FISH; ALL FISH IN POPULATION ARE SELFING FEMALES. THIS IS A UNIQUE EVOLUTIONARY DEVELOPMENT FOR TEMPERATE FRESHWATER FISH.

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800, HELENA, MT 59620-1800. 406/444-3009.

Survey site name: DELPHIA

County: MUSSELSHELL

USGS quadrangle: DELPHIA

Precision: M

Elevation (ft): 3040

Location:

MUSSELSHELL RIVER, CA. 16 MILES EAST OF ROUNDUP, MT, ON US HWY 12.

Township\Range:

Section:

TRS comments:

009N028E

28

SW4

Application number 5010 T9N R27E Sec. 36 is cut by the Musselshell River. The 1/8th mile river buffer stipulation will be applied to this tract's lease.

Montana Species of Concern Musshells County APP# 5010

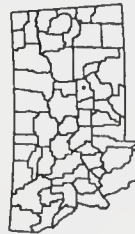
Biological Data

- ▲ Animal
- Plant
- ⊕ Other

Search Area

Land Status

- BLM
- BOR (BuRec)
- CoE & other DoD
- NPS
- USFS
- Other USDA
- USFWS
- BIA Trust
- Tribal
- State Trust
- DFWP
- University & Institutions
- County & City
- Plum Creek
- Private Conservation
- Other private
- Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area

Not all legend items may occur on map

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This map displays management status, which may differ from ownership

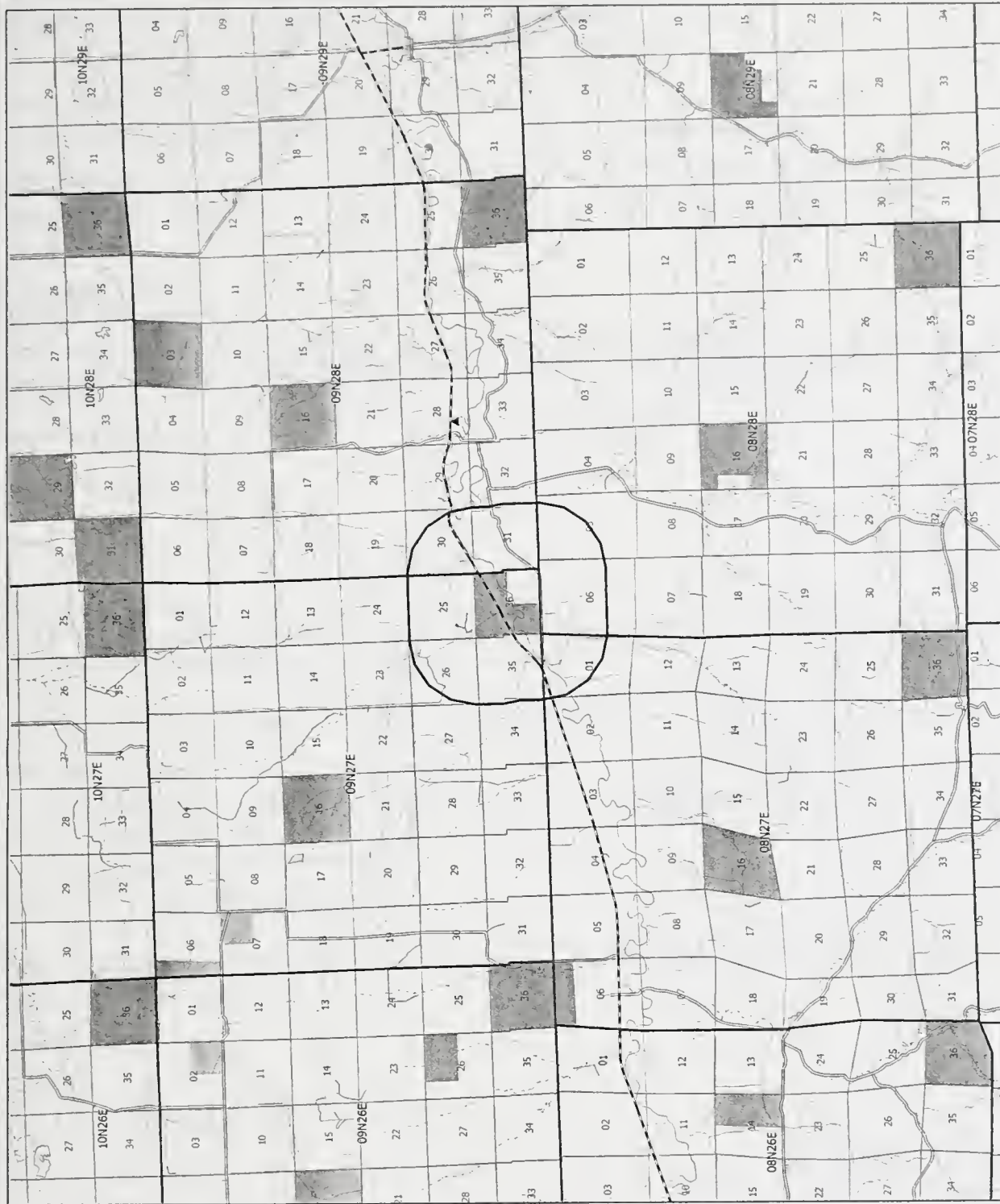
Refer to accompanying documentation for full explanation of map features



MONTANA
Natural Heritage
Program

October 03 2002
03dmc0046n

0 0.8 1.6 2.4 3.2 4 Miles



10/3/2002

Montana Natural Heritage Program
Species of Concern
Musselshell County, APP# 5011

Scientific Name: BUTEO REGALIS

Common Name: FERRUGINOUS HAWK

Forest Service Status:

Global Rank: G4

USFWS Endangered Species Act:

State Rank: S3B,SZN

BLM Status: SPECIAL STATUS

Occurrence Type:

Species occurrence data:

BREEDING POPULATION OF AT LEAST 1 PAIR. THE BOUNDARIES FOR THIS OCCURRENCE ENCOMPASS ALL REPORTED NEST OBSERVATIONS IN THE AREA. (SPECIFIC OBSERVATION DATA AVAILABLE FROM MTNHP.)

Last observation: 1994-07

Size (acres):

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND; BLM: BILLINGS FIELD OFFICE; LAKE MASON NATIONAL WILDLIFE REFUGE

Comments:

FULL EXTENT OF OCCUPIED BREEDING HABITAT IS UNKNOWN.

Information source:

KNOWLES, CRAIG J. FAUNAWEST WILDLIFE CONSULTANTS, P.O. BOX 113, BROWNS GULCH RD., BOULDER, MT 59632. (406) 225-3221.

Survey site name: LAKE MASON AREA

County: MUSSELSHELL

USGS quadrangle: LAKE MASON NW; LAKE MASON NE; PENDER COULEE; LAKE MASON SE; LAKE MASON; TIMBER E

Precision: G

Elevation (ft):

Location:

SMALL AREA NORTHWEST OF ROUNDUP.

Township\Range:

Section:

TRS comments:

010N024E

14

SPANS MULTIPLE TOWNSHIPS

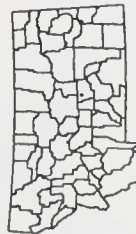
Application # 5011 T10N R24E Sec 36 is partly within the Ferruginous hawk area. The wildlife survey stipulation will be applied to this tract's lease.

Montana Species of Concern Musshell County APP# 5011

Animal
Bird
Mammal
Search Area

Land Status

BLM
BOR (BuRec)
CoE & other DoD
NPS
USFS
Other USDA
USFWS
BIA Trust
Tribal
State Trust
DFWP
University & Institutions
County & City
Plum Creek
Private Conservation
Other private
Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area
Not all legend items may occur on map

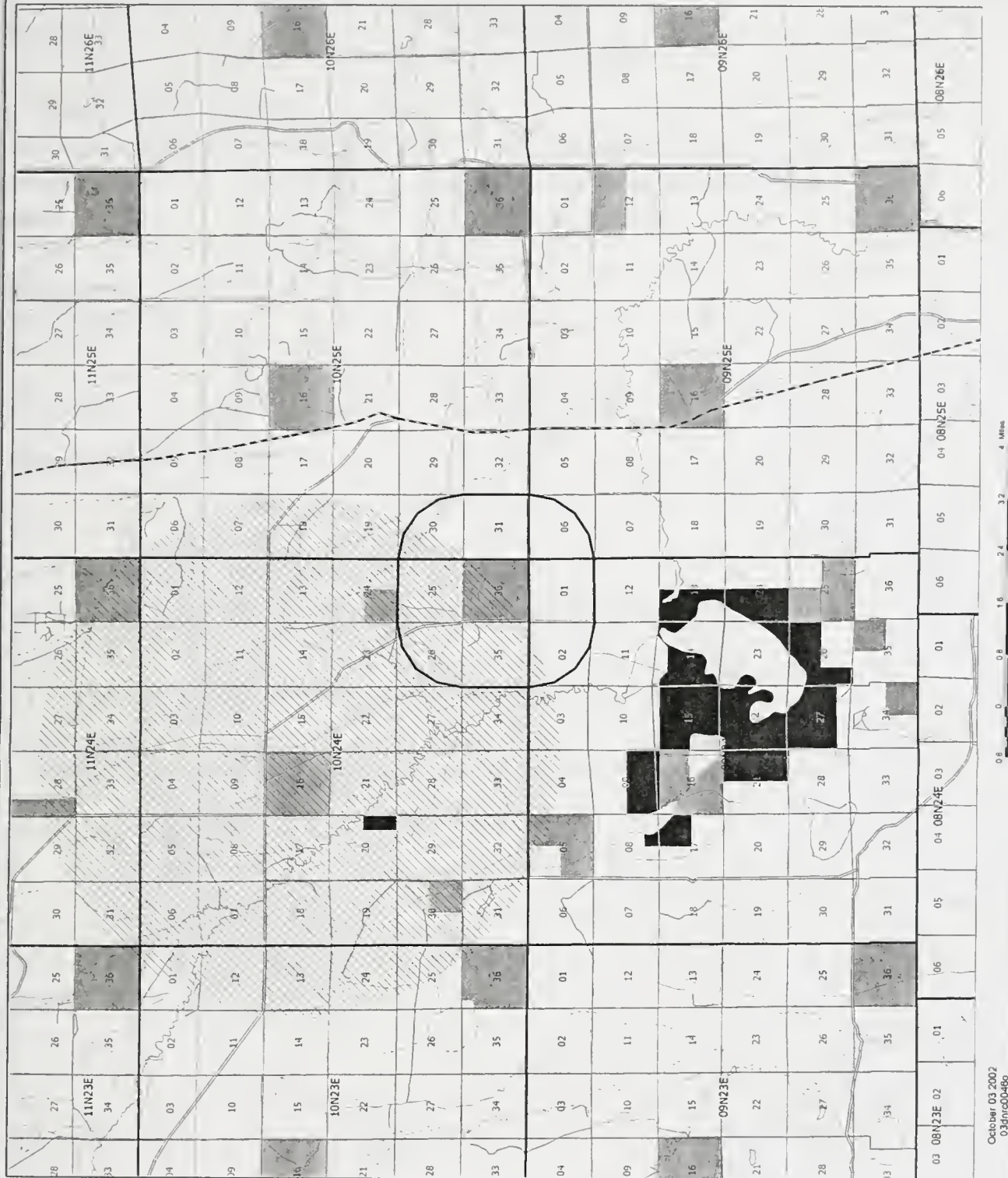
Features shown on this map do not imply public access to any lands

This map displays management status, which may differ from ownership
Refer to accompanying documentation for full explanation of map features



MONTANA
Natural Heritage
Program
Natural Resource Information System
PO Box 201460
Helena, MT 59620-1460
(406) 455-3000 <http://state.mt.us>

October 03 2002
03dnrc00460



10/3/2002

Scientific Name: LOBELIA SPICATA

Common Name: PALE-SPIKED LOBELIA

Global Rank: G5

State Rank: S1

Forest Service Status:

USFWS Endangered Species Act:

BLM Status:

Occurrence Type:

Species occurrence data:

IN FLOWER.

Last observation: 1924-08-25

Size (acres):

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); STATE TRUST LAND

Comments:

Original specimen is at MONT with collector initials; accession or collector number 1886.

Information source:

BOTANIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, HELENA, MT
59620-1800.

Survey site name: SIDNEY

County: RICHLAND

USGS quadrangle: SIDNEY

Precision: G

Elevation (ft): 1930

Location:

SIDNEY.

Township\Range:

Section:

TRS comments:

023N059E

28

Application #'s 5034 5033 T24N R 59E Sec 36
" " " " " " " "

are ~ 5 1/2 to 6 miles From this site. The plant was last observed in 1924. MTNHP-information indicated habitat is moist meadows on the plains. The stream, etc. buffer stipulation which is applied to the leases of these tracts For water-related concerns would cover any potential concerns for this plant.

Montana Species of Concern Richland County APP# 5033-5034

Biological Data

- ▲ Animal
- Plant
- ◇ Other
- Search Area

Land Status

- BLM
- BOR (BuRec)
- CoE & other DoD
- NPS
- USFS
- Other USDA
- USFWS
- BIA Trust
- Tribal
- State Trust
- DFWP
- University & Institutions
- County & City
- Plum Creek
- Private Conservation
- Other private
- Water



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This map displays management status, which may differ from ownership

Refer to accompanying documentation for full explanation of map features



October 03 2002
 03cmr6046q

10/3/2002

Montana Natural Heritage Program
Species of Concern
Stillwater County, APP# 5048

Scientific Name: HETERODON NASICUS

Common Name: WESTERN HOGNOSE SNAKE

Forest Service Status:

Global Rank: G5

USFWS Endangered Species Act:

State Rank: S3

BLM Status:

Occurrence Type:

Species occurrence data:

ONE SPECIMEN COLLECTED.

Last observation: 1979-08-15

Size (acres):

General site description:

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800,
HELENA, MT 59620-1800. 406/444-3009.

Survey site name: RAPELJE

County: STILLWATER

USGS quadrangle: RAPELJE

Precision: G

Elevation (ft): 4050

Location:

"RAPELJE."

Township\Range:

Section:

TRS comments:

003N020E

32

Application # 5048 T2N, R20E Sec. 16 is ~ 2 1/2 to 3 1/2 miles from this site. This species has a broad range of environment. It has abundant habitat east of a diagonal line from ~ Havre to Broadus. Habitat is gravel, dry sandy areas, prairies habitat, and river flood plains. Elevations range up to 8000 ft. It is not a TSE species. Hal Harrison in The World of the Snake noted that studies indicated that snakes did not venture far from their site locations. Most were not more than a few hundred feet away. —No impact—

MTNHP ref. ARADB17010*011*MT

Montana Species of Concern Stillwater County APP# 5048

Biological Data

- ▲ Animal
- Plant
- Other
- Search Area

Land Status

- BLM
- BOR (BuRec)
- CoE & other DoD
- NPS
- USFS
- Other USDA
- USFWS
- BIA Trust
- Tribal
- State Trust
- DFWP
- University & Institutions
- County & City
- Plum Creek
- Private Conservation
- Other private
- Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area

Not all legend items may occur on map

Features shown on this map do not imply public access to any lands

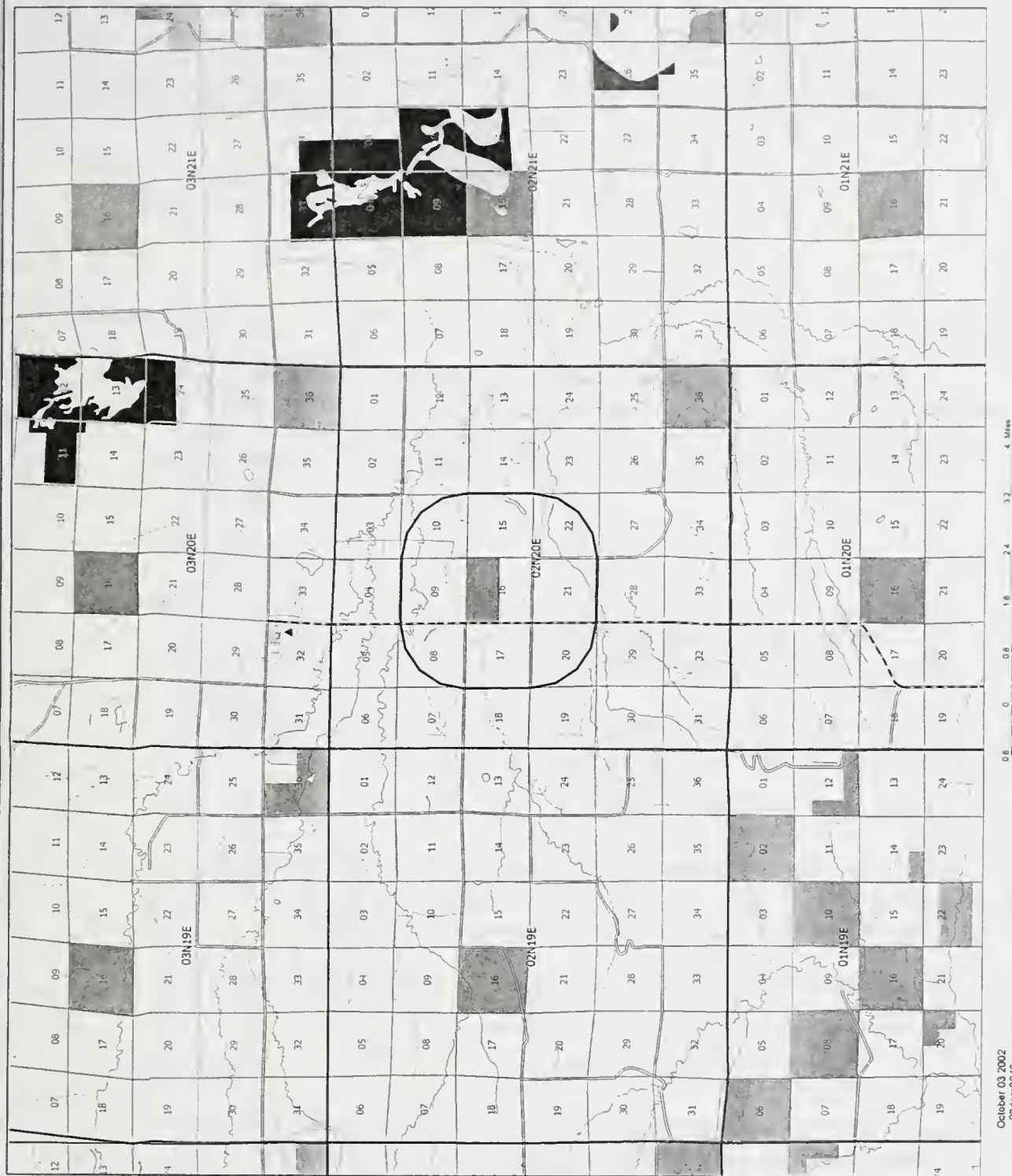
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MONTANA
Natural Heritage
Program

Montana State Library
Natural Heritage
(406) 455-2500 mont.nh@mt.gov

October 03 2002
030m0046u



BS Teresa Kinley, MMB
From: Barny D. Smith, Lewistown Unit Manager

RE: Dec. 3, 2002, Mt. Oil & Gas Lease Sale
Lewistown & Havre Unit's Comments

Teresa,

Blaine County

#5035 Cleveland—Have them avoid a set of 5 teepee rings located in the NW1/4NW1/4SE1/4. * *The cultural resources stipulation will be utilized on all tracts on the December 3, 2002 Oil and Gas Lease Sale.*
#5036 Cleveland—There appears to be no resources that need to be avoided on this tract.

#5037 Cleveland--...

#5038 Cleveland—Avoid the tributary to Box Elder Creek that runs through the tract from south to north. Also avoid teepee rings along the creek in the W1/2W1/2SE1/4. *The stream buffer stipulation will be utilized on this tract's lease*
* *See above at asterisk*

#5001 Lohman—The Milk River runs through this tract. Stay 100 feet away from the river's edge. *The 1/8th-mile river/reservoir buffer stipulation will be utilized on the leases for these two tracts.*
#5002 Lohman--...

#5015 Cleveland NW—There appears to be no resources to avoid. *A reservoir has been emplaced over part of this area. The 1/8th-mile river/reservoir/lake buffer stipulation will be utilized on this tract's lease.*

Hill County

#5014 Havre SE—See topographic map enclosed. Stay 100 feet away from the lake's edge. *The 1/8th mile river/reservoir/lake buffer stipulation will be utilized on this tract's lease.*

Petroleum County

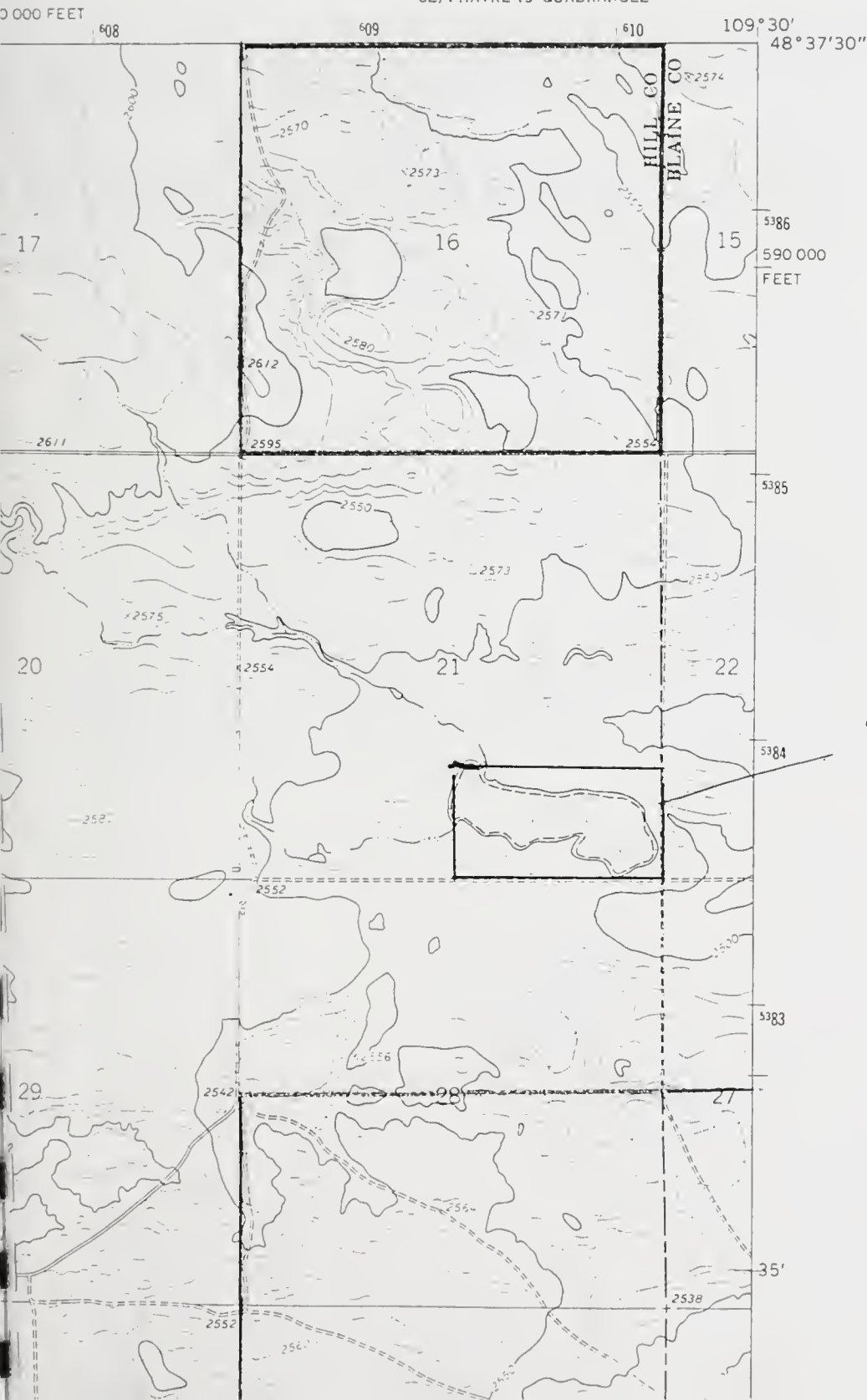
#5016 Pike Creek Hills East—There are no cultural resources due to the whole tract has been disturbed during highway construction. (Any further questions should be directed to the Mt DOT, and the owner of adjacent lands.)

The no-surface occupancy of highway tracts stipulation will be utilized on this tract's lease.

RECEIVED
OCT 15 2002
D.N.R.C.

HAVRE SE QUADRANGLE
MONTANA
7.5 MINUTE SERIES (TOPOGRAPHIC)
SE/4 HAVRE 15' QUADRANGLE

48° 37' 30" NW
(RESERVOIR COULEE)



#5014

SE SE 1/4

Kinley, Teresa

From: Mason, Monte
Sent: Friday, October 18, 2002 8:57 AM
To: Kinley, Teresa
Subject: Dec 02 O&G Lease Sale - Phone Comment

Teresa -

Phone call (10/18/02) from Jody Peters, BLM Wildlife Biologist in Havre. No wildlife concerns on tracts in his area, but did want to advise of surface condition on App# 5015 in Blaine County (T34N-R19E-35: NWNW) He is familiar with that tract and advises that a good portion of it is underwater when the reservoir level is up, and the remainder is fairly steep topography.

I advised him that we were also reviewing per our normal process with our field offices, and that we would place an appropriate stipulation regarding surface utilization -- likely either a buffer or NSO if needed. Also advised that if surface occupation was ever contemplated, there would be a site-specific review at that time.

Monte

*The 1/8th mile buffer stipulation will be utilized on
this tract's lease.*

Montana Topographic Map Finder - The map is 1.80 miles wide.

Select a Map Control function, then click the Map

If you zoom in to a map less than three miles wide and a Digital Orthophoto is available for the area, you can display the photo.

☒ Display Orthophoto ☐ Display 1:24,000 USGS Quadrangle

Photo Date = 08/25/1996

Map Size ☐ Extra Large ☐ Large ☒ Small[Click Here](#) to view other map data for this area.**Map Control**☒ ZoomIn ☐ ZoomOut ☐ New Center **Map Center Coordinates at Red +**Datum: NAD83 ☒ NDecimal Degrees
Lat 48.6628 LongState Plane
E 621346 N 49UTM Zone
E 631791 N 53

TRS T34N R1

Click the small map to new map center



Orthophotos are available in some areas.

[Legend](#) | [Help](#)Montana
Natural Resource
Information System

Technical questions about the application can be directed to:

gdaumiller@state.mt.us

Kinley, Teresa

From: Moore, Sharon

Sent: Tuesday, October 22, 2002 1:59 PM

To: Kinley, Teresa

Subject: December Oil and Gas Sale

Teresa,

Attached are the comments for the upcoming sale. Let me know if you have any questions.

Sharon

10/22/2002

STATE OF MONTANA
OIL & GAS LEASE SALE - DECEMBER 3, 2002

HYDROLOGIST'S REPORT

APP#	TOPO MAP	TWP	RGE	SEC	DESCRIPTION	ACRES
LESSOR: DEPT OF NATURAL RESOURCES & CONSERVATION						
CARTER (ELO, FWP-7) <i>See previous comments</i>						
+5039	Black Point	7.S	57.E	36	ALL	640.00
+5040	Greasy Hill Black Point	8.S	57.E	16	ALL	640.00
+5041	Gomer Draw	8.S	58.E	36	ALL	640.00
+5042	Black Point NE Alzada NW	8.S	59.E	16	ALL	640.00
+5043	Alzada	8.S	59.E	36	LOTS 1 THRU 7, W2NE4, NW4, N2SW4, NW4SE4	612.46
+5044	Cochran Reservoir Gomer Draw	9.S	58.E	16	ALL	640.00
+5045	Gomer Draw	9.S	58.E	36	LOTS 1 THRU 18, NW4, N2SW4	877.60
+5046	Alzada	9.S	59.E	16	ALL	640.00
+5047	Alzada	9.S	59.E	36	LOTS 1, 2, 3, 4, N2, N2S2 STATE DOES NOT OWN THE SURFACE IN LOTS 2, 3, 4.	* 664.40
FALLON (ELO, FWP-7)						
+5003	Willard	5.N	59.E	36	ALL	640.00
RICHLAND (ELO, FWP-6)						
5034	Fairview	24.N	59.E	36	NW4, BELOW THE BASE OF THE MISSION CANYON FORMATION STATE DOES NOT OWN THE SURFACE IN THE E2NW4.	* 160.00

This tract of land is split by the highway and Buffalo Rapids irrigation canal. There is 41 acres of grazing land with thin hilly soils and the remainder of the tract is irrigated farm ground. There is also an oil well present. *The stream, ditch, etc buffer stip will be utilized on this tract's lease. The soils are covered by basic stip #1 (op. plan review) and application of rough topo. stip.*

5033	Fairview	24.N	59.E	36	N2NE4, SW4NE4 STATE DOES NOT OWN THE SURFACE.	* 120.00
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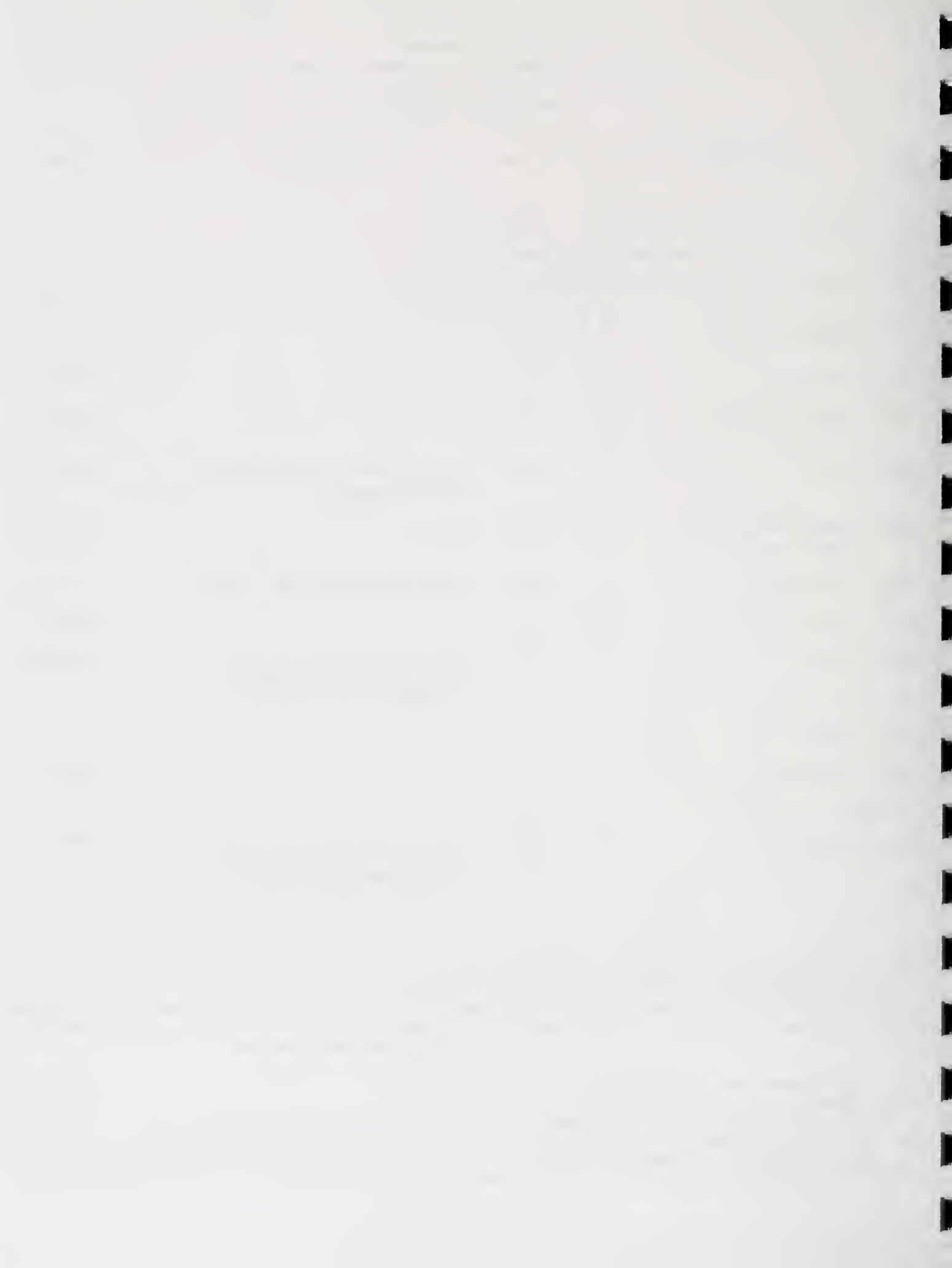
See comment above for 5034.

5006	Elmdale	26.N	53.E	36	ALL	640.00
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This section is all grazing land with rolling hills and some erosive soils. There is an intermittent drainage. A cultural site has been documented on this section.

The cultural resources stipulation and the stream buffer stipulation will be utilized on this tract's lease. The soils are covered under basic stip #1 (op. plan review).

ROSEBUD (ELO, FWP-7)



5050	Ingomar West Yablonski Ranch	10.N	34.E	16	ALL	640.00
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This section of land is all grazing land with some erosive soils. There is a cultural site on this section that would have to be avoided.

The cultural resources stipulation and the rough/steep topography - unstable soils stipulation will be utilized on this tract's lease.

+5051	Ingomar West	10.N	34.E	32	ALL	640.00
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+5052	Ingomar West	10.N	34.E	36	ALL	640.00
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5053	Ingomar East Black Sea Reservoir	10.N	35.E	16	ALL	640.00
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This section is all grazing land with erosive soils and there is one large reservoir present. *The stream, reservoir, etc. buffer stip. will be utilized on this tract's lease. The erosive/unstable soils are covered under basic stip #1 (op. plan review).*

5054	Ingomar East	10.N	35.E	32	S2, W2NE4, NW4	560.00
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This section is all grazing land with some erosive soils. A highway and an old railroad bed run through the section. *The erosive/unstable soils are covered under basic stip #1 (op. plan review).*

5055	Hagen Ranch Black Sea Reservoir	10.N	35.E	36	ALL	640.00
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This section is all grazing land with erosive clayey soils. There is a small intermittent drainage. *The unstable soils/rough topography stipulation will be utilized as well as the stream buffer stipulation on this tract's lease.*

5056	Hagen Ranch	10.N	36.E	6	LOTS 1 THRU 5, S2NE4, SE4NW4	311.60
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This section is all grazing land with erosive clayey soils. *The unstable soils/rough topography stipulation will be utilized on this tract's lease.*

5057	Hagen Ranch	10.N	36.E	9	ALL	640.00
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This section is all grazing land with erosive soils. Marc noted possible cultural sites on this section that would have to be evaluated and/or avoided. There is an intermittent drainage with one small dam. *The unstable soils/rough-steep topography stipulation the stream buffer stipulation and the cultural resources stipulation will be utilized on this tract's lease.*

5058	Thebes Hagen Ranch	10.N	36.E	16	ALL	640.00
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This section is all grazing land with erosive soils and a high steep bluff/ridge that runs through the section. Marc noted possible cultural sites on this section that would need to be evaluated and/or avoided. *The rough, steep topography stipulation and the cultural resources stipulation will be utilized on this tract's lease.*

5059	Thebes	10.N	36.E	36	ALL	640.00
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This section is all grazing land with some erosive soils. *The rough-steep topography/unstable soils stipulation will be utilized on this tract's lease.*

+5060	Yablonski Ranch	11.N	34.E	4	S2	320.00
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+5061	Yablonski Ranch	11.N	34.E	16	ALL	640.00
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5062	Yablonski Ranch Hecker Ranch	11.N	34.E	18	E2E2, SW4NE4, SE4NW4, NE4SW4, NW4SE4	320.00
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This section is all grazing land and there is some erosive soil. West Blacktail Creek runs through it. *The stream buffer stipulation will be utilized on this tract's lease. The soil is covered under basic stipulation #1 (op. plan review).*

+5063	Yablonski Ranch Hecker Ranch	11.N	34.E	31	LOTS 1, 2, 3, 4, E2, E2W2	629.08
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+5064	Yablonski Ranch	11.N	34.E	36	ALL	640.00
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5065	Black Sea Reservoir	11.N	35.E	16	ALL	640.00
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This section is all grazing land with a lot of really poor clayey and saline upland soils that are erosive. *The unstable soils stipulation will be utilized on this tract's lease.*

5066	Black Sea Reservoir	11.N	35.E	36	ALL	640.00
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This section is all grazing land with erosive clayey soils. A creek runs through the section. *The unstable soils stipulation and the stream buffer stipulation will be utilized on this tract's lease.*

5067	Hagen Ranch	11.N	36.E	16	ALL	640.00
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This section is all grazing land with a lot of poor clayey and saline upland soils.

The unstable soils - rough topography stipulation will be applied to this tract's lease.

5068 Hagen Ranch 11.N 36.E 36 ALL * 640.00
STATE DOES NOT OWN THE
SURFACE.

I don't have an aerial photo for this section but from its location I imagine that it is all grazing land with clayey erosive soils. *The soils will be covered by basic stip #1 (op. plan review).*

5069 McGinnis Butte SE 12.N 35.E 16 ALL 640.00

This section of land is all grazing land with a lot of poor clayey and saline upland soils. *The unstable soils/rough topography stipulation will be utilized on this tract's lease.*

5070 Black Sea Reservoir 12.N 35.E 36 ALL 640.00
McGinnis Butte SE

This section is all grazing land. There is a high plateau and then a pine covered ridge that drops off into a drainage area. These soils are erosive. Marc noted possible cultural sites that may need to be evaluated and/or avoided.

The cultural resources stipulation, the avoid wooded areas stipulation and the rough-steep topography stipulation will be applied to this tract's lease.

Rosebud County 9/98 Oil & Gas Lease Sale Comments

5117 Sumatra
640.00

10.N 33.E 36 ALL

This section is all grazing land with erosive granular clay soils. No water sources
present.

→ 5118 Ingomar West

10.N 34.E 32 ALL

12/03/2002 640.00

5051

This section has 132.9 acres of cropland with the remainder being grazing land. Some of the soils are erosive. There is an old homestead present. The West Fork of Froze to Death Creek is also present. *Erosive soils covered under homestead strip #1*

The stream, etc. buffer strip will be added to this lease.

→ 5119 Ingomar West

10.N 34.E 36 ALL

12/03/2002 640.00

5052

This section of grazing land borders the town of Ingomar. There's an easement for a covered dump site* and a church. There's a land use license for an airplane hanger. There's an old abandoned railroad. Canada thistle is present but should be covered standard noxious weed strip #3. There might possibly be aesthetic concerns.* There is also a dam and a highway located on this section. *Lease text contains 200' setback from houses, barn, the stream, reservoir, etc. Setback's can be 330' to 990' feet from section line.*

buffer strip will be added to the lease.

5120 Hecker Ranch

560.00

This section is grazing land with erosive soils. There is one dam present. Currently there is already oil activity on this section.

The stream, reservoir, etc. buffer strip will be added to this lease.

→ 5121 Yablonski Ranch

12/03/2002 629.08

5063

Hecker Ranch

This section of land is all grazing land with some erosive soils. Water sources include a dam and stockwater well. of an old homestead.

covered under base strip #1 and unstable soil strip applied to these are remnants of the stream, reservoir, well etc. buffer strip will be added to this lease.

5081 Birney

640.00

This section of land is grazing land with Ponderosa Pine. It has some very high steep hills which would be erosive. Prairie Dog Creek runs through it. I found lithic scatter and possibly some tepee rings on this section.*

The stream, etc. buffer strip will be added to this lease.

The steep topography & unstable soil conditions strip will be added to this lease

map shows Int. Streams No water sources shown. buffer added. Covered under base strip #1 and

STATE OF MONTANA
OIL & GAS LEASE SALE - SEPTEMBER 5, 2001

HYDROLOGIST'S REPORT

APP#	TOPO	TWP	RGE	SEC	DESCRIPTION	ACRES
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CARTER (ELO, FWP-7)

5041	Lampkin Gulch Mill Iron Dutchman's Hill Flasted Hill	1.N	60.E	3	E2SW4, SW4SE4 STATE DOES NOT OWN THE SURFACE.	120.00
I have no information on this section.						

5042	Lampkin Gulch Mill Iron	1.N	60.E	10	NW4NE4, NW4 STATE DOES NOT OWN THE SURFACE.	200.00
I have no information on this section.						

5043	Lampkin Gulch	1.N	60.E	16	ALL	640.00
This section is all grazing land with three reservoirs. The stream, reservoir, etc. buffer. Some of the soils are erosive.- Covered by base stip #1. Stipulation will be utilized on this tract.						

5044	Mill Iron	1.N	60.E	36	ALL	640.00
This section of land borders the Custer National Forest and needs to have the sensitive stipulation. It is grazing land with steep erosive soils and timber. The section would provide important wildlife habitat and excellent hunting opportunities. The sensitive areas stipulation will be utilized on this tract's lease.						

+5081	Black Point	7.S	57.E	36	ALL	640.00
See 3/1998						

5001	Black Point NE	7.S	58.E	16	ALL	640.00
This section is all grazing land with erosive soils. The middle fork of Cottonwood Creek runs through the section. The stream, etc. buffer stipulation will be utilized on this tract's lease. Erosive soils covered under base stip #1 and addition of the unstable soils stip to this tract's lease.						

+5082	Black Point NE	7.S	58.E	36	ALL	640.00
+5083	Greasy Hill Black Point	8.S	57.E	16	ALL	640.00
See 3/1998						

5084	Cochran Reservoir	8.S	57.E	36	ALL	640.00
STATE DOES NOT OWN THE SURFACE.						

This section is probably mostly grazing land but may have some dikes with hay land. The south fork of Willow Creek runs through the section and probably has trees and shrubs. There is a really large reservoir on the adjoining section that is used for irrigation. The stream, etc. buffer stipulation and the avoid wooded areas stipulation will be utilized on this tract's lease.						
+5085	Black Point NE	8.S	58.E	16	ALL	640.00

+5086	Gomer Draw	8.S	58.E	36	ALL	640.00
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This section is all grazing land. There is a large sheep barn and corrals on the section and one stockwater pit. The soils are erosive. There is a large and smaller powerline on this section along with a highway dividing the section. There are a few prairie dogs on the section. The standard noxious weed stip should cover the Canada thistle that is present. This weed stip is placed on all leases. The TLMP c/o MDFWP prairie dog stipulation will be utilized on this tract's lease. The stream, reservoir, etc. buffer stip and the unstable soils stip will be utilized on this tract's lease.

5087	Black Point NE Alzada NW	8.S	59.E	16	ALL	640.00
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over ↓

For
day
stip
will be utilized on
this tract's lease.
Power line covered by op. plan
review.

12/3/2012

This section is all grazing land with some erosive soils. Water sources include three pit reservoirs. *Erosive soil covered under basic stip #1. The stream, reservoir, etc. buffer stip. will be utilized on this tract.*

5088 Alzada 8.S 59.E 36 LOTS 1 THRU 7, W2NE4, NW4, 612.46
N2SW4, NW4SE4

12/3/2012

This section is all grazing land with erosive soils. Willow Creek runs through this section and has a deep channel that would be difficult to develop crossing for. There is a serious Canada thistle problem on this section along the creek area but I think the standard weed stipulation would be adequate since development is restricted close to the creek. *The stream buffer stipulation will be utilized on this tract's lease. The steep topography - unstable soils stipulation will also be utilized on this tract's lease. The standard weed stip is placed on all leases.*

5003 Hammond SE 9.S 56.E 16 E2E2, NW4NE4, SE4NW4 240.00

This tract is all grazing land with some erosive soils. *Erosive soils covered by basic stip #1.*

5004 Hammond SE 9.S 56.E 36 LOTS 1 THRU 12, N2 839.56

This section of grazing land has some really poor erosive soils. North Fork of Thompson Creek runs through the section. Standard weed stip should cover presence of Canada thistle. *The stream buffer stipulation and the unstable soils stipulation will be utilized on this tract's lease. The standard weed stip is placed on all leases.*

5005 Hammond SE 9.S 57.E 16 ALL 640.00

Cochran Reservoir

This section is all grazing and has some really poor erosive soils. There are two reservoirs present. An oil pipeline runs through the section. *Pipeline covered by basic stip. The stream, reservoir, etc. buffer stipulation and the unstable soils stipulation will be utilized on this tract's lease.*

5006 Cochran Reservoir 9.S 57.E 36 LOTS 1 THRU 12, N2, N2S2 865.76

This section of grazing land has erosive soils and there is one dam present.

The unstable soils stipulation and the stream, dam, etc. buffer stipulation will be utilized on this tract's lease.

5089 Cochran Reservoir 9.S 58.E 16 ALL 640.00

Gomer Draw

This section is all grazing land with some really poor erosive soils. Thompson Creek runs through the section and there are some dikes along the creek that are occasionally hayed. Standard noxious weed stip should cover Canada thistle. *This weed stip. is placed on all leases. The stream, etc. buffer stipulation and the unstable soils stipulation will be utilized on this tract's lease.*

5090 Gomer Draw 9.S 58.E 36 LOTS 1 THRU 18, NW4, N2SW4 877.60

This section has active bentonite mining and any development would need to be coordinated with that activity. The soils on this section are really poor and very erosive, some areas are old bentonite mining areas that were pre-existing reclamation laws. We are in the process of issuing a wetland easement to MDT on this tract and we would need to have a contact stip for their agency. Lisa has a copy of the stipulations on that wetland easement if you want to take a look at it. We reserved mineral rights but gave up surface occupancy. They had to pay us for the bentonite. This is the only section in our area that I am aware has burr oak trees on it. There are also juniper trees and it is rather unique for our area. There are several stockwater pits and/or wetland areas on this section along with a small creek. It is used for grazing in addition to mining. *To avoid wooded areas stipulation, the stream, etc. buffer stipulation will be utilized on this tract's lease.*

5091 Alzada 9.S 59.E 16 ALL *as well as the unstable soils and pre-existing bentonite lease stipulations.* 640.00

This section of grazing land has some erosive soils. In good years some areas of the lease are cut for hay. Thompson Creek runs through this section and has a deep channel with a lot of nice brush and trees. There is a stockwater pipeline. *Soils covered by basic stip.*

The stream, etc. buffer stipulation and the avoid wooded areas stipulations will be utilized on this tract.

5092 Alzada 9.S 59.E 36 LOTS 1, 2, 3, 4, N2, N2S2 * 664.40

STATE DOES NOT OWN THE SURFACE IN LOTS 2, 3, 4.

The Little Missouri River runs through this section of grazing land, there are nice trees and shrubs along the river. Banks along the river are steep and it would be difficult to put a crossing in the river. The rest of the section has poor erosive soils.

The avoid wooded areas stip, the river buffer stipulation and the unstable soils stipulations will be utilized on this tract's lease.

POWDER RIVER (ELO, FWP-7)

+5101 North Stacey School 1.S 47.E 10 SW4NE4, NW4, SW4SW4, E2SW4, 480.00
SE4

+5102 North Stacey School 1.S 47.E 16 ALL 640.00

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

EASTERN LAND OFFICE

RECEIVED

JAN 11 1999

D.N.R.C.

PO BOX 1794

MARC RACICOT, GOVERNOR

STATE OF MONTANA

OFFICE: (406) 232-2034
FAX: (406) 232-3807

321 MAIN
MILES CITY, MONTANA 59301-1794

MEMORANDUM

TO: Teresa Kinley, Hydrologist/Geologist, MMB

FROM: Sharon Moore, Land Use Specialist *Sharon*

DATE: December 29, 1998

RE: March 3, 1998 OIL & GAS SALE

The tracts included in this sale are in a lot different terrain than sections that we've seen previously in the Sidney, Glendive and Baker areas. A lot of the tracts in Powder River County are near the Custer National Forest and include timber.

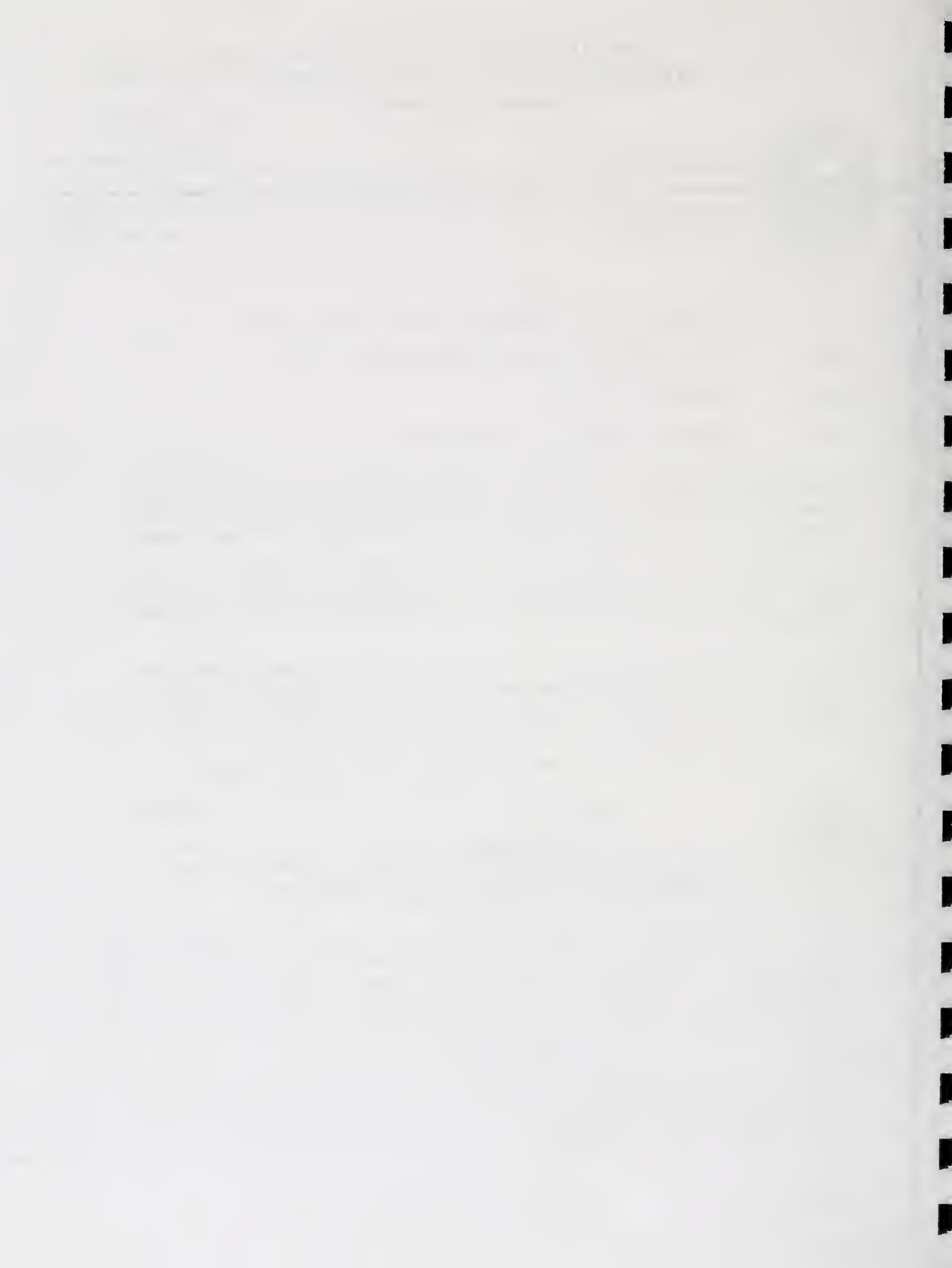
Many of these sections are very scenic in addition to being very rough. They provide excellent habitat for deer and elk. This is one of the few areas in our Land Office area that has elk present.

Conducting seismic activity and even oil development may result in some restrictions because of the terrain. Soils in these areas are often fragile. I'll be in Helena on Monday and Tuesday if you want to discuss this in more detail.

The following are comments for tracts up for lease:

APP#	LEGAL	ACRES
CARTER		
→ 5009 <i>lease</i>	36-7S-57E ALL	640
<i>12/3/2002 sale</i>	This is a section of all grazing land. Water sources include a <u>stockwater pit</u> and <u>South Cottonwood Creek</u> . <i>The stream, etc. buffer stipulation will be added to this tract's lease.</i>	
→ 5010	36-7S-58E ALL	640
	This section of land is all grazing land with some very poor shale soils that can be very erosive. There is a <u>stockwater dam</u> present and a <u>tributary</u> to <u>Cottonwood Creek</u> . There was a problem *in the past with noxious weeds, specifically Canada thistle along the creek area. <i>The stream, etc. buffer stipulation will be added to this tract's lease as well as the erosive (unstable) soils stipulation. The weed stipulation is placed on all leases.</i>	
→ 5011	16-8S-57E ALL	640
<i>12/3/2002</i>	This section of grazing land has the North Fork of Willow Creek running through it. There is a large overhead powerline and two gas or oil pipelines present. In the past there was a *real problem with Canada thistle along the drainage. <i>The stream, etc. buffer stipulation will be added to this tract's lease.</i>	
	<i>*Weeds are covered in base stipulations added to all leases.</i>	

*note
For Fik,
Base Stip
covers there*



12/1996 Oil and Gas Lease Sale Comments

12/3/2002

ROSEBUD (ELO, FWP-7)

5004	Yablonski Ranch	11.N 34.E 4 S2	320.00	
5000	This tract is all grazing land with no special concerns.			
5005	Yablonski Ranch	11.N 34.E 16 ALL	640.00	
5001	This tract is all grazing land with a creek running through the center of section. There is Canada thistle present along this creek which seismic work would also need to avoid.			Stream buffer strip added - should also cover weeds. Both will be noted in Concerns
5006	Yablonski Ranch	11.N 34.E 36 ALL	640.00	
5004	This section is all grazing land with Blacktail Creek running through section along with a tributary to that creek. Some of the soils are erosive. There is Canada thistle present along creek that seismic work would need to avoid.			
				covered under base strip #1 Stream buffer strip added For weeds & water quality weeds also covered under base head strip.
WIBAUX (ELO, FWP-7)				
5050	Graveyard Hill	12.N 57.E 16 N2, SE4, E2SW4, NW4SW4	600.00	
This tract is all grazing land with some erosive hills and dense juniper trees which might restrict seismic work to poltershot on a portion of the section. A county road runs through the section and there's a large creek area with a Canada thistle problem near a dam.				Stream buffer strip added, Avoid wooded areas
5055	Graveyard Hill	12.N 57.E 36 ALL	640.00	
	Rocking Chair Butte			strip added and soils steep topography strip added
	Ayer Spring NE			
	Hodges SW			
This section of land is all grazing land with Cedar Creek running through it. There are a lot of erosive soils on this section especially granular clay soils which have lots of fossils present.				Stream buffer strip added Cultural/paleontological resources strip added to all tracts
5058	Wibaux	13.N 59.E 4 LOTS 1,2, S2NE4	161.04	
	Freeman Creek			
There are 108.9 acres of cropland on this section with the remainder being grass. There's a reservoir present along a drainage area.				Stream, reservoir, etc. buffer strip added
5059	Freeman Creek	13.N 59.E 16 ALL	640.00	
	Wibaux			
There are 109.3 acres of cropland/hayland on this section with the rest being grazing. Spring Creek runs the length of the section. There is a dam present and a stockwater pipeline.				Stream buffer strip added
5060	Red Top Butte	13.N 59.E 36 ALL	640.00	
This section is all grazing land with a highway through it. Beaver Creek meanders through the section and is an excellent overflow area with some woody species present. There's also an stockwater well located near an old homesite on this section.				covered under base strip #1 & Stream, well etc. buffer strip
5054	Wibaux	14.N 59.E 36 W2	320.00	
STATE DOES NOT OWN THE SURFACE.				strip has been added
5068	Odland Dam SW	15.N 59.E 27 ALL	640.00	
STATE DOES NOT OWN THE SURFACE.				

*BOGC addresses setbacks From homesites, (as does the lease).

Pipe lines, Powerlines, Railroads, & Highways can be covered under base strip #1. They will be noted in a list for tracts.

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OCT 22 2002

D.N.R.C.

Central Land Office
Conrad Unit

Memo

To: Teresa Kinley, Hydrogeologist, Minerals Management Bureau

From: Erik Eneboe, Conrad Unit Manager, CLO

Date: October 17, 2002

Re: September 4, 2002 Oil and Gas Lease Sale
Conrad Unit, CLO

Please find attached Steve's comments pertaining to the December 3, 2002 Oil and Gas Lease Sale. Per your request, comments on any non-state owned surfaces are also included.

I recommend proceeding the with standard lease sale on all tracts of land reviewed for this sale. I believe potential development of Oil and Gas operations on these tracts is prudent and is possible using mitigation measures to minimize any adverse environmental impacts.

The tracts reviewed are located in located in the plains region of Glacier, Pondera and Toole Counties and do not require the "Sensitive Area / Rocky Mountain Front" special stipulation. If you have any questions, feel free to call.

cc: Garry Williams, Area Manager, CLO

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
CONRAD UNIT OFFICE



JUDY MARTZ, GOVERNOR

STATE OF MONTANA

(406) 278-7869
FAX: (406) 278-7077

PO BOX 961
CONRAD, MONTANA 59425-0961

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OCT 22 2002

D.N.R.C.

October 16, 2002

TO: Teresa Kinley, Hydro geologist, MMB
FROM: Steve Dobson, LUS, Conrad Unit, CLO
RE: December 3, 2002 Oil & Gas Lease Sale

Glacier County

#5004 34N, 6W, Sec 36 280 acres

All acres enrolled in CRP

The CRP stipulation will be applied to this tract's lease.

Pondera County

#5049 28N, 1W, Sec 36 640 acres

E1/2 in CRP, W1/2 in ag production

The CRP stipulation will be applied to this tract's lease.

Toole County

#5030 31N, 1E, Sec 26 160 acres

All acres are in ag production

#5031 31N, 1E, Sec 36 640 acres

E1/2NE4 in CRP

E1/2SE4 in CRP

W1/2NE4 in ag production

W1/2SE4 in ag production

W1/2 in ag production

The CRP stipulation will be applied to this tract's lease.

#5032 35N, 3E, Sec 36 640 acres

All acres in native range, tract has some cultural sites within the boundaries.

The cultural resources stipulation is applied to all oil and gas leases.

Kinley, Teresa

From: Gary Olson [grolson@mcn.net]
Sent: Wednesday, October 23, 2002 9:29 AM
To: Kinley, Teresa
Cc: Eneboe, Erik; Taylor, Graham
Subject: Dec. 3 DNRC Oil and Gas Lease sale

Teresa,

Thanks for the opportunity to comment. Of the tracts in my working area, only one is particularly wildlife sensitive. App# 5004, Glacier County, T34N, R6W, section 36 is currently in the planning stages of a cooperative wildlife habitat improvement project. The lessee, Roger Sammons, Erik Eneboe (DNRC), and myself (FWP) are developing a cooperative management plan involving shelterbelts, food plots and permanent vegetation to benefit wildlife, particularly upland gamebirds. The potential of oil and gas activity on this tract makes the site much less attractive for wildlife habitat development. Montana Fish, Wildlife and Parks will allocate considerable amount of time, effort and dollars to establish wildlife habitat on this tract. Therefore, I am asking that this area be excluded from the lease sale. Thanks!

Gary Olson
Wildlife Biologist
MT Fish, Wildlife and Parks
300 N. Virginia, #303
Conrad, MT 59425
271-7033

I talked with Erik Eneboe on Oct. 28, 2002 about this tract. He mentioned that it is all in CRP. I told him that I had applied the CRP stipulation to app. #5004 for this tract's lease. Erik noted that the plans for this tract primarily involved planting tree rows on the north and west boundaries of the tract. I noted these would be covered under site-specific operating plan review under basic stip. #1. Damages are covered under the lease itself (see Section 28). Erik did not recommend any additional stipulations.

T. Kinley

Central Land Office

Memo

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OCT 24 2002

D.N.R.C.

To: Teresa Kinley, MMB
From: Robert Vlahovich
Date: October 24, 2002
Re: December 3, 2002 Oil & Gas Lease Sale

The following are comments on tracts in the Helena Unit arranged by application number:

- 5012 Forested with some harvest potential. Deer and elk use frequently. Some possible grizzly use.
- 5018 Dearborn River in SW ¼. Considerable deer, elk and antelope use.
- 5019 Dearborn River runs through section. Some ag ground (hay) on Brugraff surface. Elk, deer and antelope use.
- 5020 County road in SWSW¼. Deer and antelope use.
- 5021 Highway 434 passes through section. Some wet areas in NW¼. Deer, elk, and antelope use.
- 5022 Cunniff Creek in NE¼. Elk, deer and antelope use.
- 5023 Deer, elk and antelope use. Some wet areas in N½ and SE¼.
- 5024 County road in west side. Deer, elk and antelope use.
- 5025 Deer, elk and antelope use.
- 5026 Dearborn River in NE¼. Deer, elk and antelope use.
- 5027 Springs in NE¼. Deer, elk and antelope use.
- 5028 Nilan reservoir, picnic area nearby, county road. Considerable water fowl use. Deer and antelope use.
- 5029 Pond in NENE Smith Creek in S½S½, water fowl use. Deer and antelope use.

Note: All of the above tracts could be considered a part of the greater "Front" area, and should receive the Front area stipulation.

C:\USER\RVKinley\teresa.doc

The Rocky Mountain Front sensitive areas stipulation will be utilized on leases for their application numbers 5018-5020 and 5022-5029. The sensitive areas stipulation will be utilized on the application numbers 5012 and 5021, since these tracts are located east of Highway 200 and are still within the MT-NHP's grizzly bear area.

Kinley, Teresa

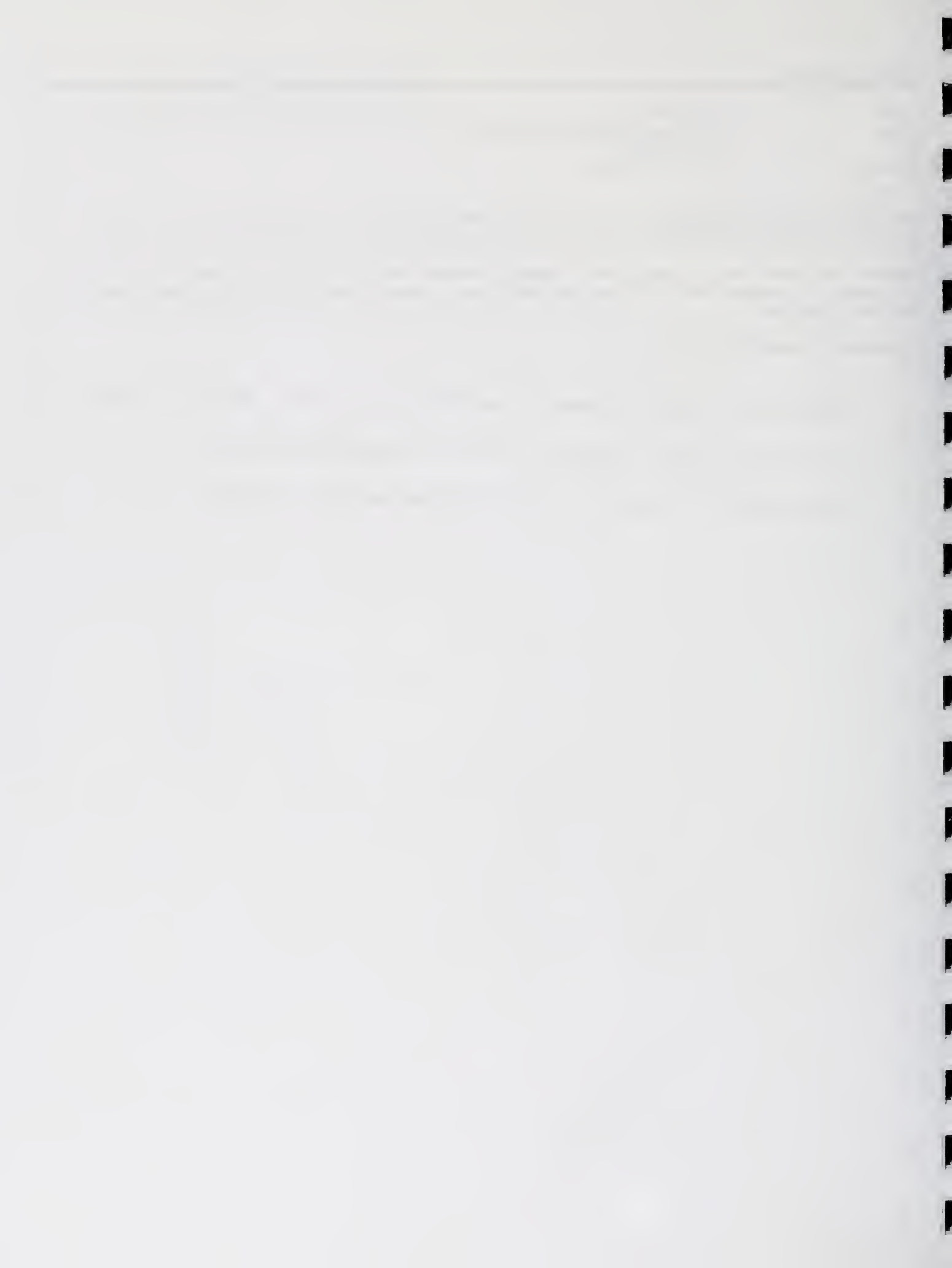
From: Kalitowski, Jim
Sent: Thursday, October 24, 2002 8:38 AM
To: Kinley, Teresa
Subject: SEC 16, T1S-R7E

Teresa, This section is mostly timbered and is in fact a Classified Forest tract. The grazing permit is issued to Daniel Brelsford. This is one of the tracts that is in the proposed "no minerals" zone.

The main issue here is there is no public access. Whoever leases the tract will be paying for something they can't get to. It is adjacent to a residential district. The road going into it goes by several homes. There is a spring development with a pipeline to a water tank.

If you need anymore info let me know.

*This tract was withdrawn From the Dec. 3, 2002 MT Oil and Gas
lease sale by the applicant prior to completion of this
environmental assessment. No Further action needed.*



APPENDIX D: Public Comments Received Before Deadline

NOTE: For this December 3, 2002 Montana Oil and Gas Lease Sale, MT-DNRC received 3 public comments regarding tracts in Lewis and Clark County by the October 25, 2002 public comment deadline. These letters advocated application of the Rocky Mountain Front sensitive areas stipulation and/or the sensitive areas stipulation to tracts in Lewis and Clark County.

The MT-DNRC proposes to apply the Rocky Mountain Front sensitive areas stipulation (number 22 in the application list in Appendix A) to application numbers 5018-5020 and 5022-5029 in Lewis and Clark County. This proposal is due to the location of this school trust land north and west of Highway 200 in Lewis and Clark County. These locations fall in the southern portion of the Rocky Mountain Front, i.e. (the lower elevation eastern slopes of the Rocky Mountain Front, generally west of Choteau, Augusta, and Bowmans Corner) depicted in the Interagency Rocky Mountain Front Wildlife Monitoring/Evaluation Program publication.

Pursuant to the Rocky Mountain Front sensitive areas stipulation, "No surface activities shall occur on the lease premises unless and until the Operating Plan or Amendment is approved by the Board." After completion of an environmental review, the Land Board may approve, modify, or deny surface activity on the lease.

Use of the Rocky Mountain Front stipulation by the Land Board results in a lease agreement that expressly precludes any utilization of the surface by the lessee, unless the lessee can formulate an operating and reclamation plan that meets the Land Board's approval as constituting the best use of trust resources or the best interest of the State of Montana. The stipulation also recognizes and requires that any surface utilization of the lease lands would have to adhere to applicable resource guidelines prepared by the Montana Department of Fish, Wildlife and Parks. The stipulation also expressly incorporates a requirement that the environmental impact statement include impact analysis on an ecosystem scale. It is important to note that, unlike the large blocks of Federal ownership along the Rocky Mountain Front, a decision by the Land Board on whether to allow school trust lands to be utilized for exploration or development does not determine whether such activity will occur. The state school trust parcels are scattered along the eastern transition area east of the Front, within an area where private mineral ownership is abundant. The Land Board does not have authority over private land interests.

In addition, MT-DNRC proposes to utilize the sensitive areas stipulation (number 21, Appendix A) on 2 tracts in Lewis and Clark County, (application number 5012 and 5021) due to their location northwest of Wolf Creek and south and east of Highway 200 in central Lewis and Clark County and their location within the Montana Natural Heritage Program's grizzly bear area.



MONTANA ENVIRONMENTAL INFORMATION CENTER

October 15, 2002, 2002

Oil and Gas Lease Sale
Department of Natural Resources and Conservation
P.O. Box 201601
Helena, MT 59620-1601

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OCT 16 2002

D.N.R.C.

To whom it may concern,
Please include my comments into the official record:

DNRC has received nominations for the December 3, 2002 Oil and Gas Lease Sale and thirteen of the sites are located in Lewis and Clark county along the southern terminus of the Rocky Mountain Front. I believe the sites, 5018, 5019, 5020, 5022, 5023, 5024, 5025, 5026, 5027, 5028, and 5029, fall within the boundary of the "Interagency Rocky Mountain Front, Wildlife Monitoring/Evaluation Program, Management Guidelines for Selected Species" adopted by the Montana Department of Fish, Wildlife and Parks in September of 1987. Two of the remaining sites, 5012 and 5021 are located a short distance outside this boundary, yet still within critical wildlife habitat.

This area is important to wildlife, so I am urging you to apply the "Rocky Mountain Front Sensitive Area Stipulations" to these lease sites 5018, 5019, 5020, 5022, 5023, 5024, 5025, 5026, 5027, 5028, and 5029. This will ensure the proper environmental reviews are conducted along with a chance for meaningful public comment if any surface activity is proposed. I am also urging the department to apply the "Sensitive Area Stipulation" to lease sites 5012 and 5021.

I am also urging the state to develop a long-term permanent policy for oil and gas leasing located along the Rocky Mountain Front that assures future protection of wildlife habitat and protects the splendor and integrity of this magnificent area. The Rocky Mountain Front should not be considered just another place to drill for oil and gas. Montanan's overwhelmingly support protecting this state and national treasure and it should be protected at all costs.

Sincerely,

Brad Borst

Issue Specialist/Organizer

Montana Environmental Information Center

P.O. Box 1184

Helena, MT 59624

The Rocky Mountain Front sensitive areas stipulation will be utilized on application numbers 5018-5020 and 5022-5029 in Lewis and Clark County.

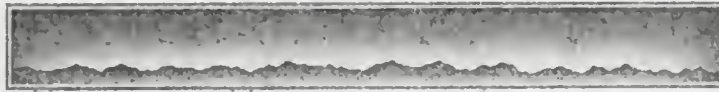
The sensitive areas stipulation will be utilized on application numbers 5012 and 5021, since they are east of Hwy 200 and within MT-NHPs grizzly bear area.

Main Office: P.O. Box 1184, Helena, MT 59624, Telephone (406) 443-2520, Fax (406) 443-2507

Branch offices: Bozeman, Butte and Missoula

E-mail: meic@meic.org Web site: www.meic.org





MONTANA WILDERNESS ASSOCIATION

The Rocky Mountain Front sensitive areas stipulation will be utilized on application numbers 5018-5020 and 5022-5029 in Lewis and Clark County.

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OCT 18 2002

D.N.R.C.

October 15, 2002

Mr. Monte Mason
Montana Department of Natural Resources and Conservation
P.O. Box 201601
Helena, MT 59620-1601

The sensitive areas stipulation will be utilized on application numbers 5012 and 5021, since they are east of Hwy 200 and are within the MT-NHP grizzly bear area.

Re: December 2002 Oil and Gas Lease Sale

Dear Mr. Mason:

Please accept the following comments regarding the oil and gas lease applications prepared for the September 4, 2005 oil and gas lease sale. We ask that the conservation lease stipulations (stipulation 19) adopted by the Montana Land Board January 19, 1999, be applied to all leases within the Bob Marshall ecosystem. For the December 3, 2002 sale that would include leases: 5012, 5018, 5074, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028. and 5029.

The stipulations adopted by the Land Board recognize the state's investment and trust responsibility in restoring and protecting wildlife in the Bob Marshall ecosystem and provides greater assurance to the public that these resources will continue to be managed wisely. A common policy is needed among land management agencies to respect and protect areas with unique and outstanding wildlife and wildland values, as exist within the Bob Marshall ecosystem.

The Stipulations require the DNRC to fully assess the potential environmental impact of oil and gas development, provide the public with meaningful opportunities to comment, and allow the Land Board the authority to deny surface activity. It is our understanding that the conservation stipulations, adopted in 1999, have been applied to all leases within the Bob Marshall ecosystem. We ask that as a matter of policy, the conservation stipulations continue to be applied to all state owned mineral leases within the Bob Marshall ecosystem.

We appreciate the opportunity to comment.

Sincerely,

Kris Dunn
President
MWA Island Range Chapter

Central Field Office
1400 First Avenue North, Great Falls, Montana 59401
t: 406-453-9434 f: 406-453-9434 e: mwacent@wildmontana.org
www.wildmontana.org

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Trust Lands

Greg Gordon
669 Dearborn River Rd.
Cascade, MT 59421
(406) 788-7749
October 19, 2002

DNRC
POB 201601
Helena, MT 59620-1601

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OCT 22 2002

D.N.R.C.

RE: Rocky Mountain Front leasing

As you are no doubt aware, Montanans have consistently and repeatedly voiced their concerns over oil and gas leasing on the Rocky Mountain Front advocating that land management agencies leave the Front just the way it is.

Oil and gas leasing, and subsequent exploration and drilling would severely impact sensitive wildlife species such as grizzlies and harlequin ducks through habitat fragmentation and disturbance. Oil and gas leasing would necessitate roads, increased traffic, dust, and pollution, all contributing to wildlife fragmentation and disturbance. The latest Forest Service EIS details these impacts.

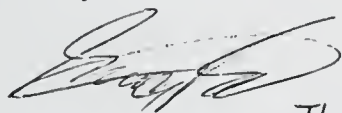
Leasing would also fundamentally alter the character of the Front, that quality which makes it unique. This was ultimately Forest Supervisor Gloria Flora's reason for withdrawing the Forest Service lands along the Front from leasing. DNRC should follow suit with this wise decision and maintain state lands in the condition that Montanans cherish.

DNRC has an obligation to manage state lands for Montana's schoolchildren. The short term profits generated from leasing may financially benefit school districts, but leave us impoverished as a people. The long term benefits from not leasing far outweigh any short term gains.

Furthermore, as a responsible global citizen, DNRC has an obligation to reduce greenhouse gases and should investigate solar and wind production before pursuing non-renewable fossil fuels.

The Rocky Mountain Front is one of the most dramatic and special places on earth. Let's not squander our children's inheritance by leaving them with an impoverished landscape. I urge you to apply "Sensitive Area Stipulations" to lease sites 5018-5029.

Sincerely,



The Rocky Mountain Front sensitive areas stipulation will be utilized on application numbers 5018 - 5020 and 5022 - 5029.

The sensitive areas stipulation will be utilized for application numbers 5012 and 5021 since they are east of Hwy. 200, and still within the MT-NHP's grizzly bear area.

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OCT 23 2002

D.N.R.C.

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OCT 23 2002

MONTANA BOARD OF OIL
& GAS CONS. - HELENA



APPENDIX E: Late Comments



United States Department of the Interior

FISH AND WILDLIFE SERVICE

MONTANA FIELD OFFICE

100 N. PARK, SUITE 320

HELENA, MT 59601

PHONE (406) 449-5225, FAX (406) 449-5339

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NOV 04 2002

D.M.R.G.

File: M.29 (I)

November 1, 2002

Teresa Kinley

Department of Natural Resources and Conservation

1625 Eleventh Avenue

P.O. Box 201601

Helena, Montana 59620-1601

For the September 4, 2002 MT Oil and Gas Lease sale, the Rocky Mountain Front sensitive areas stipulation has been utilized on application number 5076 due to its location north and west of Highway 200 and within MT-NHP's grizzly bear area, in Lewis and Clark County.

Dear Ms. Kinley:

The sensitive areas stipulation was applied to application numbers 5072-5075 and 5077-5078 in Lewis and Clark County due to their location south and east of Highway 200 and west of Wolf Creek and their location within the MT-NHP's grizzly bear area.

This is in response to your September 30, 2002 and June 27, 2002 letters requesting comments from the U.S. Fish and Wildlife Service (Service) on the proposed Oil and Gas Lease Sale in Big Horn, Blaine, Carter, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Glacier, Golden Valley, Hill, Lewis and Clark, McCone, Musselshell, Petroleum, Pondera, Powder River, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Toole, Valley, Wheatland, and Yellowstone Counties in Montana. These comments have been prepared under the authority of, and in accordance with, the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Your letter requested comments on tracts of land near identified grizzly bear habitat and a National Wildlife Refuge. In reference to the tracts near the Natural Heritage Program's area for *grizzly bears the Service supports the Rocky Mountain Front sensitive areas stipulation (F-2) and recommends applying this stipulation to tracts adjacent to or near all National Wildlife Refuges including the Lake Mason National Wildlife Refuge. Furthermore the Service recommends that any sites proposed for activity be reviewed to determine whether listed species may be affected.

A list of threatened and endangered species by county is attached. *Per previous Land Board direction, the sensitive areas stipulation is utilized when review for leasing indicates that a tract is adjacent to National Wildlife Refuges. Buffer stipulations for various waterbodies are utilized when warranted and indicated for tracts that are farther away.* In Montana, the Service has special concern for migratory birds, endangered and threatened species, and other important fish and wildlife resources. Habitats frequently used by important fish and wildlife resources are wetlands, streams, and riparian (streamside) woodlands. Special attention is given to proposed developments that include modification of wetlands, stream alteration, or contamination of important habitats. The Service recommends ways to avoid, minimize, rectify, reduce, or compensate for damaging impacts to important fish and wildlife resources and their habitats that may be attributed to land and water resource development proposals. *Site specific exploration and/or operating plan review is required for all proposed activity.*

* The Rocky Mountain Front sensitive areas stipulation has been utilized for the December 3, 2002 MT Oil and Gas Lease sale on application numbers 5018-5020 and 5022-5029 in Lewis and Clark County. These tracts are located north and west of Highway 200 and are within the MT-NHP's grizzly bear area.

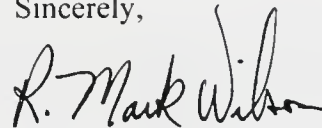
The sensitive areas stipulation has been applied to application numbers 5012 and 5021 in Lewis and Clark County on the December 3, 2002 MT Oil and Gas Lease sale.

The Service has responsibility, under a number of authorities, for conservation and management of fish and wildlife resources. Chief among the federal statutes which our office administers are the Fish and Wildlife Coordination Act, and the Endangered Species Act of 1973. The Coordination Act requires that fish and wildlife resources be given equal consideration in the planning, implementation, and operation of federally funded, permitted, or licensed water resource developments.

For actions that involve stream channels or wetland the Service recommend that you work closely with the Corps of Engineers (COE) regulatory office (406-441-1375) regarding any Section 404 permits that may be needed. With regard to such permits, depending on permit type and other factors, the Service may be required to review permit applications and recommend fish and wildlife protection or mitigation measures to the COE as appear reasonable and prudent at that time. On site inspection by Service personnel may be necessary to provide technical assistance regarding wetland avoidance or mitigation.

Should you have any further questions, please contact Mr. Dan Brewer within our office at (406) 449-5225, extension 216. Thank you for the opportunity to offer comments.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Mark Wilson". The signature is fluid and cursive, with a large, stylized "W" at the end.

R. Mark Wilson
Field Supervisor

THE
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THE
ROYAL
ANTHROPOLOGICAL INSTITUTE

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FEDERALLY-LISTED ENDANGERED, THREATENED, PROPOSED AND CANDIDATE SPECIES IN MONTANA COUNTIES

C = Candidate

LT = Listed Threatened

LE = Listed Endangered

* = Listed endangered except in non-essential experimental population area

PCH = Proposed Critical Habitat

PT = Proposed Threatened

County/Scientific Name	Common Name	Status
BIG HORN		
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
BLAINE		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE*
CARTER		
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
CHOUTEAU		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
CUSTER		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE

2. Financial Statement Analysis

2.1. The second part of the document provides a detailed analysis of the company's financial statements, including the balance sheet, income statement, and cash flow statement. It highlights key trends and areas of concern.

2.2. The analysis continues with a discussion of the company's liquidity position and its ability to meet its short-term obligations. It also evaluates the company's solvency and long-term financial health.

2.3. The third part of the document focuses on the company's profitability and its ability to generate sustainable growth. It examines the company's operating margins and its overall performance relative to industry peers.

2.4. The final part of the document provides a summary of the findings and recommendations. It suggests areas for improvement and offers strategic advice for the company's future financial management.

3. The third part of the document discusses the company's risk management strategies and its approach to identifying and mitigating potential risks. It highlights the importance of proactive risk management in ensuring the company's long-term success.

4. The fourth part of the document provides a conclusion and a final summary of the key findings. It reiterates the importance of maintaining accurate records and transparent financial reporting for the company's success.

County/Scientific Name	Common Name	Status
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
DANIELS		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
DAWSON		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
FALLON		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
FERGUS		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
GALLATIN		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Zaitzevia thermae</i>	Warm Spring Zaitzevian Riffle Beetle	C
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Canis lupus</i>	Gray Wolf	LE*
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Thymallus arcticus</i>	Montana Arctic Grayling	C
GLACIER		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Canis lupus</i>	Gray Wolf	LE
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Salvelinus confluentus</i>	Bull Trout	LT
<i>Botrychium lineare</i>	Slender Moonwort	C
GOLDEN VALLEY		
<i>Charadrius montanus</i>	Mountain Plover	PT

THE HISTORY OF THE UNITED STATES

OF THE UNITED STATES OF AMERICA

FROM THE FIRST SETTLEMENTS TO THE PRESENT TIME

BY

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NEW YORK

1898

THE HISTORY OF THE UNITED STATES

OF THE UNITED STATES OF AMERICA

County/Scientific Name	Common Name	Status
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
HILL		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
LEWIS AND CLARK		
<i>Thymallus arcticus</i>	Montana Arctic Grayling	C
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Canis lupus</i>	Gray Wolf	LE*
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Salvelinus confluentus</i>	Bull Trout	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
McCONE		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Charadrius melodus</i>	Piping Plover	LT, PCH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
MUSSELSHELL		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
PETROLEUM		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C

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NEW YORK: PUBLISHED BY J. B. LIPPINCOTT & CO.

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NEW YORK: PUBLISHED BY J. B. LIPPINCOTT & CO.

County	Scientific Name	Common Name	Status
PONDERA			
	<i>Charadrius melodus</i>	Piping Plover	LT
	<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
	<i>Canis lupus</i>	Gray Wolf	LE
	<i>Lynx canadensis</i>	Canada Lynx	LT
	<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
POWDER RIVER			
	<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
	<i>Mustela nigripes</i>	Black-footed Ferret	LE
	<i>Charadrius montanus</i>	Mountain Plover	PT
	<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
RICHLAND			
	<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
	<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
	<i>Charadrius melodus</i>	Piping Plover	LT, PCH
	<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
	<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
ROOSEVELT			
	<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
	<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
	<i>Charadrius melodus</i>	Piping Plover	LT, PCH
	<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
	<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
ROSEBUD			
	<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
	<i>Mustela nigripes</i>	Black-footed Ferret	LE
	<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
	<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
SHERIDAN			
	<i>Charadrius melodus</i>	Piping Plover	LT, PCH
	<i>Grus americana</i>	Whooping Crane	LE
	<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
	<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth, struggle, and achievement. From the first European settlers to the present day, the nation has faced countless challenges and overcome them through the courage and ingenuity of its people. The story begins with the arrival of Christopher Columbus in 1492, which opened the way for European exploration and settlement. The early years were marked by conflict between the Native Americans and the settlers, but also by the establishment of a new society based on the principles of liberty and democracy. The American Revolution was a turning point in the nation's history, as the colonies declared their independence from Britain and fought a war to secure their freedom. The new nation was founded on the principles of the Declaration of Independence, which stated that all men are created equal and have the right to life, liberty, and the pursuit of happiness. The early years of the republic were marked by the struggle to define the role of the federal government and the relationship between the states and the national government. The Constitution was adopted in 1787, providing a framework for the new government. The nation's growth was rapid, as new territories were acquired and settled. The Civil War, fought between 1861 and 1865, was a pivotal moment in the nation's history, as it resolved the issue of slavery and preserved the Union. The Reconstruction era that followed was a period of great challenge and achievement, as the nation sought to rebuild and reunite. The late 19th and early 20th centuries were marked by rapid industrialization and the rise of the United States as a world power. The nation's involvement in World War I and World War II further solidified its position as a global superpower. The mid-20th century saw the rise of the civil rights movement, which fought for equality and justice for all Americans. The Vietnam War and the Cold War were major challenges for the nation, but it emerged from these conflicts as a more unified and powerful country. The late 20th and early 21st centuries have seen significant changes in the nation's political and social landscape, including the rise of the Internet and the challenges of globalization. The future of the United States is uncertain, but the principles of liberty, democracy, and the pursuit of happiness remain the foundation of the nation's identity.

County/Scientific Name	Common Name	Status
STILLWATER		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Canis lupus</i>	Gray Wolf	LE*
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
SWEET GRASS		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Canis lupus</i>	Gray Wolf	LE*
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
TOOLE		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
VALLEY		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, PCH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C
WHEATLAND		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C

County/Scientific Name	Common Name	Stamps
YELLOWSTONE		
<i>Haliaeetus leucocephalus</i>	Bald Eagle	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	PT
<i>Cynomys ludovicianus</i>	Black-tailed Prairie Dog	C

